

67

(CIRCULAR ORDERS)

ISSUED FROM THE LATE OFFICE

OF THE

(SUPERINTENDENT OF POLICE)

(IN THE)

(LOWER PROVINCES,)

TO

(THE MAGISTERIAL AND OTHER CRIMINAL AUTHORITIES)

AND TO

(THE FERRY FUND COMMITTEES,)

(FROM NOVEMBER, 1837 TO FEBRUARY, 1854.)

ARRANGED WITH

NOTES, INDEX, AND AN APPENDIX.

BY

(W. R. BAILLIE,)

LATE FIRST ASSISTANT, IN THE JUDICIAL DEPARTMENT OF THE BENGAL SECRETARIAT.

BY AUTHORITY.

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CALCUTTA :

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1854.



1185-179

## PREFACE.

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THE publication of the present work was suggested by the frequent applications to the Bengal Secretariat for copies of the Circular Orders of the Superintendent of Police, Lower Provinces, and by the fact that a complete set of them did not exist in any office, and could not be collected without much difficulty. The latter circumstance has caused the omission in this book of Circular, No. 4, of 1838; the Compiler, however, has reason to know that it was on a matter of only transient interest.

The plan of this compilation may be thus briefly explained.

Unimportant Circulars are omitted; but with the view to preserve the sequence of numbers, their subjects are briefly mentioned. The same course has been pursued with Circulars which have been rescinded or modified, notes being added, however, in the margin, of the orders by which they have been rescinded or modified. In fact wherever a Circular has been in any way affected by subsequent orders, or where the subject of a Circular in any way relates to other Circulars or Orders, whether of the Superintendent of Police, or of other authorities, the references to these latter are supplied in the margin, or where such a course has been considered necessary, they have been appended in smaller type.

Circulars containing requisitions for information, are briefly given for the purpose of indicating what information is available in the records of the late office of the Superintendent of Police, Lower Provinces.

The Regulations, Acts, or Orders of Authorities, which are mentioned or referred to in any Circular, are appended to it, or are marginally noted, as well as any other orders, not mentioned nor referred to, but yet bearing on the subject, so as to render the book, as a book of orders, complete in itself, and thus to obviate references to voluminous works



which are not conveniently or generally accessible, especially at out-stations, on tours, or in camp.

In the Appendix several orders of almost daily reference are given ; these, it is believed, will be found useful, and may prevent much of the unnecessary correspondence with Government, which, the Compiler is aware, has often taken place.

The Compiler is conscious of having spared neither time nor trouble in the endeavour to ensure accuracy, but those who have experienced a Compiler's drudgery will understand how, notwithstanding that consciousness, he can solicit, as he now does, the kind indulgence of his readers for imperfections in the book.

In conclusion, the Compiler begs to intimate that a book of the character of Marshman's "Darogah's Manual," brought down to the present date, is in course of compilation by him, and that it will shortly be published.

*Calcutta, 1st August, 1854.*

# LIST OF REGULATIONS, ACTS, AND ORDERS OF DIFFERENT AUTHORITIES QUOTED IN THIS VOLUME.

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| "     | 254, | 10th April,    | 23  |
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| 1838, | 73,  | 6th November,  | 82  |
| 1840, | 41,  | 5th December,  | 83  |
| 1841, | 18,  | 19th June,     | 83  |
| 1843, | 6,   | 26th May,      | 168 |
| 1846, | 13,  | 22nd May,      | 171 |
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# CIRCULAR ORDERS

OF THE

## SUPERINTENDENT OF POLICE

IN THE

### LOWER PROVINCES.

ISSUED BETWEEN THE YEARS 1837 AND 1854.

#### No. I.

##### TO ALL MAGISTRATES.

No. 46.—Dated Fort William, 30th November, 1837.

No. 46, of 1837.

AS decisions passed by Sessions Judges under Act XXIV. of 1837 in miscellaneous appeal cases of a criminal nature, may sometimes involve principles that will affect the proper administration of the police, Magistrates are requested in all such cases to make a full and circumstantial report on the subject to the Superintendent of Police, to enable him to secure proper remedies through the legislature if necessary.

Decisions of Sessions Judges in criminal appeal cases, which may affect the police to be reported to Supdt. of Police.

Magistrates will bear in mind that these instructions are intended to apply solely to miscellaneous appeal cases decided by the Sessions Judge from which no further appeal will lie. (*Abstract.*)

*Act XXIV. of 1837.*

I.—It is hereby enacted, that it shall be lawful for the Governor of the Presidency of Fort William in Bengal to appoint a Superintendent of Police for the territories under his Government or for any part thereof, and for the Lieutenant Governor of the N. W. Provinces to appoint a Superintendent of Police for those Provinces, or for any part thereof.

*Act XXIV. of 1837.*

The Govr. of Bengal may appoint a Supdt. of Police for any part of that Prov. Ditto the Govr. of the N. W. P. for any part of those Provs.



No. 46, of 1837.

Act XXIV. of 1837.

When a Supt. is appointed under this Act, the duties and powers vested in the Comrs. of Revenue and Circuit, by Sec. 7, Regn. 1, 1829, shall cease; and such Supt. shall be guided by Reg. X. 1808, and subsequent Regs.

Sec. 3, Reg. IX. 1831, to cease to have effect whenever Supt. is appointed.

Supt. to exercise all the powers now exercised by Comr. of Circuit under Sec. 3, Reg. 1, 1829, in regard to the appointment, suspension and removal of any ministerial officer subordinate to zillah, city, or Joint Magistrate.

Sessions Judge, when vested under Act 7, 1835, with the whole administration of criminal justice, shall receive and try any appeal made to him from any order of zillah, city or Joint Magistrate in any judicial proceeding whatever.

Decision of Sessions Judge in any such appeal not to be open to revision by the Nizamut Adawlut.

Sessions Judge, when vested with the whole administration of criminal justice, shall possess the same control, &c. over jails, &c. and officers, &c. as formerly belonged to Commissioners of Circuit.

At what time this Act to come into operation.

II.—And it is hereby enacted, that whenever a Superintendent of Police shall be appointed under this Act, such parts of Section 7, Regulation 1. 1829 of the Bengal Code, as vest the Commissioner of Revenue and Circuit with the duties and powers belonging to the Superintendent of Police, shall cease to have effect in the territories which may be comprised within the jurisdiction of such Superintendent, and such Superintendent shall be guided in the execution of the duties of his office by the Rules contained in Regulation X. 1808, and, other Regulations of the Bengal Code, subsequently enacted, in regard to the said office, in so far as they may not be modified or repealed by this Act.

III.—And it is hereby enacted, that whenever such a Superintendent of Police as aforesaid shall be appointed for any jurisdiction, Section 3, Regulation IX. 1831 of the Bengal Code, shall cease to have effect within that jurisdiction.

IV.—And it is hereby enacted, that the Superintendent of Police appointed under this Act, shall exercise all the powers that may be now legally exercised by the Commissioners of Circuit, in virtue of the authority vested in them by Section 3, Regulation 1. 1829 of the Bengal Code, in regard to the appointment, suspension and removal of any ministerial or police officer, subordinate to any zillah or city Magistrate or Joint Magistrate.

V.—And it is hereby enacted, that whenever the whole administration of criminal justice shall, under the provisions of Act No. VII. of 1835, be vested in any Sessions Judge, such Sessions Judge shall receive and try any appeal made to him from any order of any zillah or city Magistrate, or Joint Magistrate, whether such order may have been passed in a criminal trial or in any Judicial proceeding whatever—provided, that it shall not be competent to such Sessions Judge to interfere with any order passed by a zillah or city Magistrate, or Joint Magistrate, regarding the appointment, suspension, or removal of any ministerial or police officer, the revision of which has by Section IV. of this Act been entrusted to the Superintendent of Police.

VI.—And it is hereby enacted, that the decision of a Sessions Judge in appeal from the order of a zillah or city Magistrate, or Joint Magistrate, in any judicial proceeding other than a criminal trial; and also the orders of the Superintendents of Police in regard to the appointment, suspension, or removal of a ministerial or police officer of a zillah or city Magistrate, or Joint Magistrate, passed under the provisions of Sections IV. and V. of this Act, respectively, shall not be open to revision by the Nizamut Adawlut.

VII.—And it is hereby enacted, that whenever the whole administration of Criminal Justice shall, under the provisions of Act No. VII. 1835, and Section V. of this Act, be vested in any Sessions Judge, such Sessions Judge shall possess the same control and superintendence over every jail under the management of any zillah or city Magistrate or Joint Magistrate, subject to his jurisdiction, and over the officers of every such jail as may have been exercised by the Commissioners of Circuit under the provisions of Section 3, Regulation 1. 1829, or of any Regulation, Act, or Circular Order of the Nizamut Adawlut, which may have been passed or issued since the promulgation of the said Regulation.

VIII.—And it is hereby enacted, that this Act shall come into operation on the 1st January, 1838, except so much thereof as authorizes the appointment of Superintendents of Police, which shall come into operation from the day of the passing of this Act.

*Circular Order of the Nizamut Adawlut addressed to the Superintendent of Police, Commissioners, Sessions Judges, and Magistrates and Joint Magistrates in the Lower Provinces, No. 7, dated 2nd February, 1838.*

No. 46, of 1837.

C. O. Nizt. Adwt.  
No. 7, of 1838.

I am directed by the Court to transmit to you for your information and guidance, the annexed Extract from their proceedings of this date.

Orders on the subject of certain Circulars issued in consequence of the re-establishment of the office of Supt. of Police.

*Extract from the proceedings of the Nizamut Adawlut under date the 2nd Feb. 1838.*

- \* No. 48, April 2nd, 1808.
- „ 264, August 16th, 1822.
- „ 64, December 10th, 1830.
- „ 93, February 10th, 1832.
- „ 68, December 17th, 1830.
- „ 94, February 10th, 1832.
- „ 114, July 27th, 1832.
- „ 115, August 3rd, 1832.
- „ 119, August 24th, 1832.
- „ 136, April 6th, 1833.
- „ 138, August 16th, 1833.
- „ 155, December 12th, 1834.
- „ 190, January 15th, 1836.

With reference to Act XXIV. 1837 re-establishing the office of Superintendent of Police, the Court have had under consideration the several Circular Orders noted in the margin,\* and having been in communication with Mr. F. C. Smith, the Superintendent of Police, on this subject, have been pleased to issue the following orders which will be immediately carried into effect in every district over which the Superintendent of Police has jurisdiction.

1. *Circular Order No. 18, April 2nd, 1808.*—The Sessions Judges will now perform the duties described in this Circular.

2. *Circular Order No. 264, August 16th, 1822.*—The Superintendent of Police will direct the Magistrates to rescind, alter or modify any circular instructions connected with the police, issued by those functionaries. The Sessions Judges will not interfere in any way with the exercise of this power.

3. The following Circular Orders are hereby rescinded, viz. *No. 64, 10th December, 1830; No. 93, 10th February, 1832; No. 114, 27th July 1832; No. 119, 24th August, 1832; No. 136, 6th April, 1833; No. 138, 16th August, 1833.*

4. *Circular Order No. 68, December 17th, 1830,* is hereby extended to the office of Superintendent of Police. In addition to the report to Government required by Clause 2, Sec. 14, Regulation XI. 1806, the Magistrate will report to the Superintendent of Police and the Sessions Judge whenever he may find it necessary to call out the military.

5. *Circular Order No. 94, February 10th, 1832,* is also rescinded. It being the desire of Government that the Magistrates should be encouraged often to visit† the interior of their districts, it is considered unnecessary that they should report‡ every instance of their performing, or being about to perform so essential a part of their duty.

6. *Circular Order No. 115, 3rd August, 1832,* is hereby amended, the Sessions Judges will report direct to the Nizamut Adawlut whenever they may be prevented for the period of one month from holding a jail delivery of their respective districts.

7. The several duties assigned by the *Circular Order No. 155, 12th December, 1834,* and *Circular Order No. 190, 15th January, 1836,* to the Commissioners of Circuit will now be performed by the Sessions Judges. With regard to the statements connected with the police, the Magistrates will be guided by the instructions they may receive from the Superintendent.

ORDERED, that a copy of this Resolution be sent to the Superintendent of Police, and to each Sessions Judge, Magistrate, and Joint Magistrate in the Lower Provinces, with instructions to alter the Circular Order books accordingly. A copy will also be transmitted to the Commissioners for their information.

† See C. O. Supt. of Pol. L. P. No. 15, of the 21st Oct. 1839.

‡ See C. O. Nizt. Adawlut No. 10, of the 1st June, 1838.

No. 46, of 1837.

*Circular Order, Nizamut Adawlut No. 10, dated 1st June, 1838.*

C. O. Nizl. Adwt.  
No. 10, of 1838.

Magistrates to report to the Supt. of Police whenever they have occasion to proceed into the mofussil.

With reference to para. 5 of the Court's resolution of the 2d February, by which Magistrates were exempted from the duty of reporting their visits to the interior of their districts, I am now directed under instructions from the Government, to request that whenever you have occasion to proceed into the mofussil, you will report to the Superintendent of Police the date of your departure and that of your return to the Sudder Station as well as the cause of your departure.

## No. II.

TO ALL MAGISTRATES.

Nos. 74, to 76, of  
1837.

Nos. 74, 75 and 76.—Dated Fort William, the 30th Nov. 1837.

Calling for returns of dismissed or discharged police and ministerial officers.

**C**ALLING for returns, according to form annexed, of Chokeydars, Ministerial officers, &c. who had been dismissed or discharged from January, 1835, with the reasons for their dismissal or discharge. The returns to include all police and ministerial officers above the grade of Burkendaz. (*Abstract.*)

## No. III.

TO ALL MAGISTRATES.

No. 80, of 1837.

No. 80.—Dated 15th Dec. 1837.

Applications for Assts. their being invested with special powers, and all applications for leave of absence to be submitted through the Supt. of Police.

**I** HAVE the honor to communicate for your information and guidance the accompanying copy of a letter from Mr. Officiating Secretary Halliday, under date the 28th ultimo, No. 2334, directing that *applications\* for assistants, their being invested with special powers, as well as all applications† for leave of absence by yourself and your subordinates, shall be made through me.*

2. I request also that you will invariably keep me informed of you and your subordinates, receiving or giving over charge.

\* Altered. See C. O. Supt. of Pol. L. P. No. 29 of 23rd Dec. 1844.

† Modified. See C. O. Supt. of Pol. L. P. No. 9 of 8th July, 1850.

*From F. C. SMITH, Esq. Superintendent of Police, Lower Provinces, to F. J. HALLIDAY, Esq. Officiating Secretary to the Government of Bengal, No. 41, dated 15th November, 1837.*

1. In the last paragraph of the minute in which my appointment was made, under date the 10th of October last, it is stated that in future the Government in communication with the Commissioners of Revenue and the Superintendent of Police will assume the duty of distributing the Assistants at the division where their services may be



required. It is not however declared whether applications for Assistants by the Magistrates shall be made direct to Government or through the Superintendent of Police.

No. 80, of 1837.

2. Likewise it is requisite to settle whether the Magistrates are to apply direct, or through the Superintendent of Police, when they consider it requisite to invest any Assistants under their orders with extra authority according to the provisions of Regulation III. of 1821, also applications for leave of absence by Magistrates and their subordinates.

3. Further I beg leave to state that the leave of Magistrates, Joint Magistrates and Assistants, is published in General Orders in the Calcutta Gazette, but their return is seldom noticed. Either such information should be sent to me from your office, or the officers themselves should report their return to me.

*From F. J. HALLIDAY, Esq. Officiating Secretary to the Government of Bengal, to F. C. SMITH, Esq. Superintendent of Police, Lower Provinces, No. 2334, dated 28th November, 1837.*

I am directed to acknowledge the receipt of your letter No. 41, of the 15th inst. on the subject of Assistants to Magistrates.

2. The Hon'ble the Deputy Governor of Bengal is of opinion, that applications by Magistrates for Assistants should be made to Government through the Superintendent of Police, that recommendations by Magistrates for investing Assistants with special powers, should come through the same channel, and that applications for leave of absence by Magistrates and their subordinates should also be forwarded through the Superintendent of Police. Magistrates who are also Collectors, must apply in the first capacity to the Superintendent of Police and in the second to the Commissioners of Revenue.

3. Respecting Magistrates and their subordinates return from leave of absence, His Honor sees no reason to alter the present practice.

4. You are requested to apprise the several Magistrates and Joint Magistrates subject to your jurisdiction of the present orders of Government.

## No. IV.

### TO COMMISSIONERS OF CIRCUIT.

No. 85, dated Fort William, the 20th December, 1837.

No. 85, of 1837.

**REQUESTING** to be furnished with a list, either in Persian or in English, of cases wherein persons proclaimed under Reg. IX. of 1808, having been apprehended, the Commissioners of Circuit have been required, from 1st January, 1835 to 31st December, 1837, to decide whether they should be tried for contumacy, or on the original charge, as directed by Sec. 3, Reg. V. of 1822. (*Abstract.*)

Requiring a list of persons proclaimed under Reg. IX. of 1808, who have been tried on apprehension.

## No. V.

TO ALL MAGISTRATES.

No. 87, of 1837.

No. 87, dated Fort William, the 27th December, 1837.

Calling for report on the River police.

CALLING for a report on the River police of the district. (*Abstract.*)

## No. VI.

TO ALL MAGISTRATES.

No. 88, of 1837.

No. 88, dated Fort William, the 27th December, 1837.

Calling for a list of Thannahs.

CALLING for a list, to be prepared according to form annexed, of the Thannahs in each district. (*Abstract.*)

## No. VII.

TO ALL MAGISTRATES.

No. 52, of 1837.

No. 52, dated 28th December, 1837.

Copy of registers under Reg. III. of 1812 to be sent to Supt. of Police half yearly.

I HAVE the honor to annex for your information and guidance an extract from a letter of Government under date the 14th November, 1837, and to request that you will be pleased to furnish me with copy of the Registers prepared in your office as prescribed to be kept up as Nos. 1, 2, and 3, Reg. III. 1812, for the years 1835, 1836 and 1837.

2. Should they have been made out in the Persian language, I shall not trouble you to have them translated into English, as that can be done in my office.

\* The forms were rescinded by Sec. 2 Reg. VII. 1829.

3. I request that you will according to Section 9,\* Reg. III. of 1812, in future regularly furnish me with these Registers every six months.

Counterparts of all warrants to be sent to Supt. of Police.

4. By Clause 7, Sec. 9 of Reg. III. 1812, the Zemindars, Darogahs and others to whom you may have addressed warrants for the apprehension of criminals, are directed to furnish counterparts of their returns, No. 7 of the Appendix, to the Supt. of Police. You are requested to send me all copies of the said returns sent in the years 1835 36 and 1837 to you by them, and in future in issuing your warrants you will be pleased to direct the parties to whom they are addressed to send me counterparts by means of the dawk.

*Extract from a letter from the Secretary to the Government of Bengal in the Judicial Department under date the 14th November, 1837, No. . . . .*

No. 52, of 1837.

Para. 3. The Deputy Governor apprehends that the lists of criminals to which the Resolution had reference were no other than the Registers prescribed as Nos. 1, 2 and 3, in Reg. III. 1812, which, by Clause 2, Sec. 9 of that law, Magistrates were required to furnish to the Superintendent of Police every six months, and in regard to which, on the re-establishment of the office, it was thought proper to require back statements for the past three years to be supplied to you by the Magistrates.

*Regulation III. of 1812, Section 9, Clauses 1 and 2 and 7 and 8.*

Regn. III. 1812.

*First.* On the receipt of this Regulation, the Magistrates of the several zillahs and cities shall cause to be prepared, according to the forms hereunto annexed, Nos. 1, 2 and 3, registers of the names of the following descriptions of persons;—*first*, register of convicts who have broken jail, or have otherwise effected their escape; *second*, ditto of persons, for the apprehension of whom, proclamations may have been issued under the provisions of Regulation\* IX. 1808; *thirdly*, ditto of persons charged with, or suspected of the commission of specific crimes of a heinous nature, who may have eluded the pursuits of justice.

Certain registers of the names of offenders to be prepared at each zillah and city.

\* Repealed by Act IV. 1844.

*Second.* The registers above prescribed, shall commence from the 1st day of January, 1812; they shall be regularly revised and kept up in the Persian language by the several Magistrates, who shall forward copies of them on the 1st of January and the 1st of July, in each year, to the Superintendents of Police respectively for their information.

When the registers shall commence. Copies to be furnished half yearly to the Supt. of Police.

No. 1.†

*Register of convicts who have broken Jail, or have otherwise effected their escape.*

† See cl. 14, Sec. VIII. Regn. XX. 1817.

| Name and caste of the persons who have escaped from Jail. | Name of the father. | Supposed age. | Description of his person. | Supposed usual place of residence. | Amount of reward offered for his apprehension. | Date of apprehension, surrender, or ascertained death. |
|-----------------------------------------------------------|---------------------|---------------|----------------------------|------------------------------------|------------------------------------------------|--------------------------------------------------------|
|                                                           |                     |               |                            |                                    |                                                |                                                        |

No. 52, of 1837.

Regn. III. 1812.

No. 2.

*Register of persons, for the apprehension of whom proclamations have been issued under the provisions of Regulation IX. 1808.*

| Date of proclamation. | Name and caste of the persons proclaimed. | Name of the father. | Supposed age. | Description of his person. | Supposed usual place of residence. | Amount of reward offered for his apprehension. | Date of apprehension, surrender, or ascertained death. |
|-----------------------|-------------------------------------------|---------------------|---------------|----------------------------|------------------------------------|------------------------------------------------|--------------------------------------------------------|
|                       |                                           |                     |               |                            |                                    |                                                |                                                        |

No. 3.

*Register of persons charged with, or suspected of the commission of specific crimes of a heinous nature, who may have eluded the pursuit of justice.*

| Name and caste of the persons accused or suspected. | Name of the father. | Supposed age. | Description of his person. | Supposed usual place of residence. | Amount of reward offered for his apprehension. | Date of apprehension, surrender, or ascertained death. |
|-----------------------------------------------------|---------------------|---------------|----------------------------|------------------------------------|------------------------------------------------|--------------------------------------------------------|
|                                                     |                     |               |                            |                                    |                                                |                                                        |



*Seventh.*—The several zemindars, farmers, and local agents to whom warrants and lists of public offenders shall have been furnished under this Regulation, are hereby required to transmit to the Magistrates on the 30th June and 31st of December, in each succeeding year, returns according to the annexed form No. 7, of all persons who may have been apprehended by them, or by means of information given by them to any police officers during the preceding six months; counterparts of which returns shall at the same time be transmitted by the several zemindars, farmers, or local agents, by means of the public dawks to the office of the Superintendent of the Police.

*Eighth.*—In like manner the several darogahs shall transmit at the periods above specified, returns of all persons named in the lists with which they had been furnished, who may have been apprehended by them during the preceding six months, accompanied by any explanation which they may wish to offer in the event of no persons having been apprehended; copies of the prescribed returns and explanations shall at the same time be forwarded by the police darogahs by means of the public dawks to the office of the Superintendent of Police, and such returns are to be invariably made, whether any persons shall have been apprehended or otherwise, and shall be despatched by the darogahs from their respective thannahs, on or before the 15th of the month of January and July of each year.

No. 7.

*Half yearly return of persons apprehended under the provisions of Regulation III. 1812, by (name of zemindar, farmer, local agent, or police darogah) of (name of estate, farm, or thannah) of (zillah or city jurisdiction).*

| Numbers and dates of warrants, under which apprehended. | Name of persons apprehended. |                      |                                                  | Date of apprehension. |
|---------------------------------------------------------|------------------------------|----------------------|--------------------------------------------------|-----------------------|
|                                                         | Persons who had escaped.     | Convicts proclaimed. | Persons who had eluded the process of the court. |                       |
|                                                         |                              |                      |                                                  |                       |

## No. VIII.

### TO ALL MAGISTRATES.

No. 1.—Dated 28th January, 1838.

**I** REQUEST you will be pleased to send me, according to the subjoined form, a list of the ministerial and police officers of your court and district who have been appointed, dismissed, or changed to another station from the

D

No. 52, of 1837.

Regn. III. 1812.

Zemindars, &c, to furnish half-yearly reports of persons so apprehended.

Darogahs to furnish reports of such persons apprehended by them.

No. 1, of 1838.

Requiring list of ministerial and police officers appointed, dismissed



No. 1, of 1838.  
or having their stations changed since 1st May, 1837.

Report of dismissal of certain police and ministerial officers to be made to superintendent of police for confirmation.

1st of May last. My object is to correct the list which the Civil Auditor has furnished me and which he compiled from the Magistrates' returns, in April last.

2. You will be pleased in future to send me without delay, a report for confirmation, whenever you think it expedient and proper to dismiss any police officer above the grade of Burkundauze, as well as of all ministerial officers of your court on the receipt of ten rupees or more per mensem.

*A statement of Police Officers appointed, dismissed, or station changed, &c.  
from 1st May, 1837.*

| Name of police officers. | Office held by him. | Cause of dismissal or removal and date of it. | Remarks. |
|--------------------------|---------------------|-----------------------------------------------|----------|
|                          |                     |                                               |          |

*A statement of Ministerial Officers appointed, dismissed, whose station has been changed, &c.  
from 1st May, 1837.*

| Name of police officers. | Office held by him. | Cause of dismissal or removal and date of it. | Remarks. |
|--------------------------|---------------------|-----------------------------------------------|----------|
|                          |                     |                                               |          |

## No. IX.

### TO ALL MAGISTRATES.

No. 2.—Dated Patna, the 20th January, 1838.

**C**ALLING for a report, according to form annexed, of the number of mochulkas taken from individuals by order of the magistrate or his assistant in the years 1836 and 1837. (*Abstract*).

No. 2, of 1838.

Calling for a statement of mochulkas taken in 1836 and 1837.

## No. X.

### TO ALL MAGISTRATES.

No. 3.—Dated Patna, 28th January, 1838.

**I** REQUEST you will be pleased to send me authenticated copies of all Circular Orders issued by you or your predecessors, for the conduct and guidance of the police officers subordinate to your authority, and that in future you will furnish me with all Circular Orders you may deem it necessary to issue.

2.\* *I would suggest for your consideration that when you think it necessary to issue a Circular on any subject which may admit of being objected to, that you should previous to circulating your orders submit them for my consideration and sanction.*

3. Should you have established any Dustoorool-amul for the guidance of your establishment or of the police of your district, I shall be obliged by your sending me a copy, as it is my wish to compare the several systems adopted by the magistrates and to frame if possible, a comprehensive scheme for the general observance of the magistracy.

No. 3, of 1838.

Requiring copies of Circular Orders issued for the conduct and guidance of the police and giving directions as to their issue in future.

\* C. O. Supt. of Police L. P. No. 6 of 19th March, 1844, prohibits the issue of any Circulars by Magistrates without authority of the Supt. of Police L. P.

Circular No. 4 of 1838 is not forthcoming.

## No. XI.

### TO ALL MAGISTRATES.

No. 5.—Dated Patna, 28th January, 1838.

**I** REQUEST you will be pleased to inform the darogahs and other police officers of your district that from the 1st of January, 1838, they are to send by the public dawk direct to this office notice of all heinous offences and

No. 5, of 1838.

All heinous offences and other information hitherto reported to the

See C. O. Supt. of  
Police L. P. Nos. 13  
and 23 of 1913.

any other information which they have hitherto forwarded direct to the Commissioner of Circuit, you will also be pleased to make it known generally in the district, that all communications on the subject of police, which heretofore were made by the zemindars and others to the Commissioner of Circuit, must from the above date be sent to the Superintendent of Police.

TO ALL MAGISTRATES.

No. 6, of 1838.

See C. O. Supt. of  
Police L. P. No. 14  
of 1838.

WITH reference to the proceedings of the Sudder Dewanny and Nizamut Adawlut under date the 27th October last, para. 10, regarding the six-monthly statements furnished by you, I have deemed it advisable to substitute a new form for that hitherto in use for the statements No. 29 and 30 regarding the chowkeedaree collections, which I have sent to the Government Lithographic Press to be printed, and whence I request you will indent for as many copies as you may require.

No. 29.

*Account Current of the Chowkeedaree Collections and Disbursements under Regulation XXII. of 1816 and Act XVI. of 1837 in the Town of ——— for the year 183 — corresponding with ———*

[illegible]

No. 30.

No. 6, of 1838.

*Detail of Expenditure from the Surplus Chowkeedaree Collections for the year, 183*

| 1     | 2                     | 3                      | 4       | 5        |
|-------|-----------------------|------------------------|---------|----------|
| Date. | On what account paid. | Authority for payment. | Amount. | Remarks. |
|       |                       |                        |         |          |

No: XIII.

TO ALL MAGISTRATES.

No. 7 of 1838.

No. 7, of 1838.

CIRCULATING copy of a letter from the Magistrate of Behar pointing out the difficulties in the way of preparing the statements called for by Circular No. 74 of the 30th November, 1837, and of his reply thereto, showing the necessity for their early preparation and submission. (*Abstract.*)

Necessity of early preparation and submission of statements called for by C. O. No. 74 of 1837.

No. XIV.

TO ALL MAGISTRATES.

No. 8.—Dated 13th January, 1838.

No. 8, of 1838.

REQUESTING to be furnished according to a form annexed with a return of prisoners who have in the years 1835, 1836 and 1837 been proclaimed under Regulation IX. of 1808, and have been apprehended and tried by the Sessions Court. (*Abstract.*)

Calling for a return of persons who after having been proclaimed, have been apprehended and tried by the Sessions Court.

**No. XV.**

TO ALL MAGISTRATES.

No. 9, of 1838.

No. 9.—Dated the 16th March, 1838.

Calling for information regarding the Police administration of each district.

**CALLING** for certain information regarding the Police administration of the district. (*Abstract.*)

**No. XVI.**

TO ALL MAGISTRATES.

No. 10, of 1838.

No. 10.—Dated Patna 7th February, 1838.

In official correspondence the Nos. and dates of letters referred to, to be quoted.

**IN** replying or referring to my correspondence with your office you will be pleased to pay particular attention to quoting correctly the numbers and dates of the communications under acknowledgment or reference.

2. I will thank you also to be careful in affixing a number to any correspondence you may send to my office, as it greatly facilitates future reference.

*See also Circular Orders of the Supt. of Pol. L. P. No. 27 of the 18th November, 1843 and No. 7 of the 18th October, 1848.*

Orders regarding official correspondence.

Native terms to be avoided in official correspondence.

The Court of Directors in their despatch dated 6th January, 1815, desire that the use of terms and appellations, borrowed from the Oriental languages, in official correspondence be avoided; "and in cases where it may be impracticable to dispense with them without frequent periphrasis, to affix a marginal explanation of the terms which, for the sake of convenience may be employed in the text of their letters."

Orthography of Native names.

In writing native names, the orthography of the original to be closely adhered to.—*C. O. Sudder Dewanny Adawlut, No. 48, dated 18th May, 1832.*

On separate subjects separate letters to be written and brevity in correspondence to be observed.

\* These abstracts have been discontinued under subsequent orders.

In a despatch in the Public Department dated the 10th February, 1830, paragraph 4. the Court of Directors desire the Government to instruct all subordinate functionaries in the several departments, civil and military, as well in their correspondence with each other, as with their respective Governments, to write separate letters upon separate subjects; *and,\* on a paper annexed to each letter, to make a short abstract of its contents.* This division of subjects may not be practicable to an equal extent in every department, and in all cases; but it is desirable that it should be acted upon as far as circumstances will permit. The practice of making abstracts, besides facilitating references, will lead we hope, to a condensation of the correspondence, which is often unnecessarily expanded. It should be understood,



throughout our services that the letters which contain the most useful information and pertinent suggestions or instructions within the shortest compass are the most valuable, and will be held by the superior authorities in highest estimation."

No. 10, of 1838.

The English date and Christian era should be furnished on all occasions when the corresponding date and era, current in any particular division or district is given.

The dates of each transaction or order cited in every reference which may be made, should also invariably be stated.—*C. O. Board of Revenue, No. 253 of 3rd April, 1835.*

English date and Christian era to be stated along with the corresponding Native date and era.

Dates of all orders cited, to be specially referred to

Prescribing Rules for reporting cases to the Board and preventing the transmission of unnecessary documents.

\* This Circular is based on an order of Govt. which applies to all Depts.

1.\* The Board have had occasion to observe that the duty of a Commissioner, when submitting a reference to this Board even in voluminous and intricate cases forwarded to them by their subordinates, is often either very imperfectly understood, or inadequately executed, and in many cases, a mere general assent is communicated to the propositions thus forwarded, referring this Board to the perusal of the whole of the papers for the ascertainment of the circumstances of the cases reported; thereby imposing on the Board the primary execution of a duty specially belonging to the Commissioner, and generally occasioning that voluminous papers are unnecessarily copied and transmitted.

2. The further evils thus created, are the following.

*Firstly.*—The Commissioner has no record to refer to hereafter, should he desire to see on what grounds he supported or decided against the propositions of his subordinates.

*Secondly.*—Voluminous records are unnecessarily copied, abstracting the services of the officers thus employed, from other and useful duty.

*Thirdly.*—Delaying very objectionably the final orders on the case.

3. With a view to prevent the receipt of such imperfect reports in future, the Board have directed me to furnish you with the following instructions.

4. When reporting cases to this Board for orders, or for communication to the Government, as the case may be, it is indispensably necessary that your report should exhibit a complete and circumstantial review of the material and important particulars of the case referred, together with your opinions and suggestions, on all parts of it which require notice, forwarding only those records received from your subordinates to which you think this Board will desire to refer, or the transmission of which by Circular or other order previously issued, has been especially directed.

5. Any reference hereafter submitted otherwise than in the circumstantial manner prescribed, will be immediately returned, and an explanation required.—*C. O. Sudder Board of Revenue, No. 318, dated 23rd August, 1836.*

As the practice of numbering letters which obtains in the offices of the Secretaries to Government, in this office, and in some of the offices in the interior, is not usually adopted; and as it has been found, where it obtains, useful in facilitating references to letters, without the necessity of recapitulating the subject of them; I am directed by the Court to request that you will, from the commencement of the ensuing year, number all that may be despatched from your office in one continual series, from the commencement to the close of the year.—*C. O. Sudder Dewanny Adawlut No. 160, dated 27th November, 1835, para. 1.*

All letters to be numbered consecutively.

**No. XVII.**

TO ALL MAGISTRATES.

No. 11, of 1838.

No. 11.—Dated 16th March, 1838.

Calling for information regarding the employment of officers of the Circuit Dept. in the Fouzdary Dept.

**CALLING** for a return, according to form annexed, of the number of times and days in which the officers in the Circuit Department have been absent on duty in the Fouzdary Department, in the interior of the districts, during the years 1835, 1836 and 1837. (*Abstract.*)

**No. XVIII.**

TO ALL SESSIONS JUDGES.

No. 12, of 1838.

No. 12.—Dated 16th March, 1838.

Calling for orders of the Magts. and of the Judge on appeal, in cases of fine and imprisonment of Police officers.

**CALLING** for a copy of every decision passed by the Magistrates in 1836 and 1837, and of every decision by the Sessions Judge in appeal, relative to fines and imprisonment of Police officers from the grade of Darogah down to that of the village watch. (*Abstract.*)

**No. XIX.**

TO ALL MAGISTRATES.

No. 13, of 1838.

No. 13.—Dated Camp 29th March, 1838.

Calling for information on the system of dieting prisoners.

**CALLING** for information to enable the Superintendent of Police to make a report to Government on the working of the system of dieting prisoners. (*Abstract.*)

**No. XX.**

TO ALL MAGISTRATES.

No. 14, of 1838.

No. 14.—Dated Camp 29th March, 1838.

Chowkeydaree returns to be made annually.

**WITH** reference to my Circular No. 6 of the 5th January, forwarding a new form for the report on the collections, &c. of the Chowkeydaree Tax. I have the honor to inform you that conformably with Section 24 of Regulation XXII. of 1816, I shall only require yearly returns according to the new form furnished to you for the Chowkeydaree Tax.

*Regulation XXII. of 1816, Section XXIV.*

XXIV. The several Zillah and City Magistrates and the Joint Magistrates adverted to in Section 3 of this Regulation, will cause to be annually prepared by the Bukshee, a complete statement according to the Form in the Appendix (C) of all subsidiary Police Establishments, which may be entertained on the principle of the provisions of this Regulation, within the limits of their respective jurisdictions; and will transmit the same in the month of January in each year, through the office of the Superintendent of Police, for the consideration of the Governor-General in Council.

No. 14, of 1838.

Regn. XXII. of 1816.

Annual statements  
to be furnished by the  
Magistrates.

*Form of Register (C).*

| Name of Mohalla. | Names of Panchaite. | Names of persons assessed. | Caste or profession. | Monthly rates of assessment. | Total amount of assessment in each Mohalla. | Names of Chowkedars. | Amount of their monthly wages. | Overplus remaining for contingencies. | Remarks, and if no Panchaite appointed, to be noticed here. |
|------------------|---------------------|----------------------------|----------------------|------------------------------|---------------------------------------------|----------------------|--------------------------------|---------------------------------------|-------------------------------------------------------------|
|                  |                     |                            |                      |                              |                                             |                      |                                |                                       |                                                             |

**No. XXI.****TO ALL MAGISTRATES.**

No. 15.—Dated from camp, 29th March, 1838.

I HAVE the honor to inform you, that under the instructions of Government with reference to Act\* XXIV. of 1837, all appeals, reports of settlements and references on the subjects of the ferries and the town chowkeydaree assessments, are to be made to me, in the same manner as they have hitherto been made to the Commissioners.

No. 15, of 1838.

All matters relating to ferries and town chowkeydaree to be referred to Supt. of Police.

\* See page 1.

## No. XXII.

TO ALL MAGISTRATES.

No. 16, of 1838.

No. 16.—Dated 29th March, 1838.

Bills for deputation allowance of Magistrates on salaries of not more than 1,000 Rs. to be countersigned by Supt. of Police.

I BEG to communicate for your information and guidance, copy of a letter from Mr. Officiating Secretary Halliday No. 199 under date the 13th ultimo, communicating the orders of Government directing that all bills for deputation allowances to Magistrates on salaries of not more than Rs. 1,000 per mensem, be countersigned by the Superintendent of Police.

*From F. J. HALLIDAY, Esq. Officiating Secretary to the Government of Bengal, to F. C. SMITH, Esq. Superintendent of Police, Lower Provinces No. 199, dated 13th February, 1838.*

I am directed by the Hon'ble the Deputy Governor of Bengal, to forward for your information the accompanying copy of a letter this day addressed to Mr. F. Skipwith, Magistrate of Patna, and to request that bills for deputation allowance by Magistrates on the receipt of not more than 1,000 Rs. monthly, may always in the first instance be countersigned by you.

*From F. J. HALLIDAY, Esq. Officiating Secretary to the Government of Bengal, to F. SKIPWITH, Esq. Magistrate of Patna, dated 13th February, 1838.*

I am directed to inform you in reply to your letter (34) dated the 22nd ultimo, that under the circumstances of your case, the Hon'ble the Deputy Governor of Bengal is pleased to authorize you to draw "Deputation Allowance," when you are ordered to proceed into the interior of your district on public duty by the Superintendent of Police, and also when it may be necessary for you to leave the station without waiting for such order, provided in such cases, the allowance comes recommended by the Superintendent of Police.

## No. XXIII.

TO ALL MAGISTRATES.

No. 17.—Dated from camp, the 29th March, 1838.

No. 17, of 1838.

Information required regarding the ferries in each district.

FORWARDING a form of statement of "the rates of toll, number of boats, efficiency and management of the ferries" in each district, in order that it may be filled up with the required information and returned to the Superintendent of Police. (*Abstract.*)



**No. XXIV.**

TO ALL MAGISTRATES.

No. 18.—Dated 19th March, 1838.

No. 18, of 1838.

I REQUEST you will be careful to file all letters and Circulars from my office in a separate file from your other correspondence, for facility of reference to yourself and your successors.

Circulars of the Supt. of Police to be carefully filed.

**No. XXV.**

TO ALL COMMISSIONERS OF CIRCUIT.

No. 19.—Dated 9th May, 1838.

No. 19, of 1838.

REQUESTING to be furnished with a copy of the second six-monthly Reports (of the Police) for 1837. (Abstract.)

**No. XXVI.**

TO ALL MAGISTRATES.

No. 20.—Dated 9th May, 1838.

No. 20, of 1838.

I ANNEX for your information and guidance, copy of a letter addressed by me to Mr. Officiating Secretary Halliday, No. 103, under date 21st February last, with that officer's reply of the 27th ultimo, No. 354.

Instructions regarding petitions of appeal from ministerial and police officers against orders of Magistrates.

2. You will be pleased to issue a proclamation, and otherwise to make the orders now conveyed to you as public as possible, informing all parties concerned, that I shall adhere strictly to the time allowed for appeals from the Magistrate's orders in all cases where individuals may choose to lodge their appeals before me in person.

*From F. C. SMITH, Esq. Superintendent of Police L. P. to F. J. HALLIDAY, Esq. Officiating Secretary to the Government of Bengal, No. 103, dated 21st February, 1838.*

By Act XXIV. of 1837, it is enacted that the powers hitherto confided to the Commissioners of Circuit, under Section 3 Regulation I. of 1829, in regard to the appointment, suspension and removal of ministerial officers subordinate to the Zillah or City Magistrates or Joint Magistrates, shall in future, from the 1st January, 1838, be exercised by the Superintendent of Police.



No. 20, of 1838.

2. As the duties of my office require me to be constantly moving from one part of the country to another, the usual course of complainants attending at the appeal court to lodge their appeals will be attended with great delay and much inconvenience to the appellants.

3. To remedy such inconvenience I propose, with the sanction of the Hon'ble the Deputy Governor of Bengal, to issue instructions to the Magistrates and Joint Magistrates within my jurisdiction to the following purport.

1st. With regard to appointments: The usual course to be pursued of appointing ministerial and police officers to act till my sanction be obtained and a report on the subject to be invariably sent without delay for my orders.

2d. With regard to suspensions and removals: Persons dissatisfied with the orders of a Magistrate or Joint Magistrate are permitted to present their petitions of appeals to the Magistrates or Joint Magistrates, if written on the proper stamp paper, and if presented within the usual period allowed to appellants, and the Magistrates shall be bound to forward their appeals *with the papers of the case\** for my orders. In case the officer suspended or dismissed shall not present his petition of appeal to the Magistrate within the period allowed, the Magistrate shall refuse to accept it, and shall refer the officer to a personal appeal at my office.

\* See C. O. Supt. of Pol. L. P. No. 24 of 2d November, 1844, and No. 8 of the 30th December, 1847.

*From F. J. HALLIDAY, Esq. Officiating Secretary to the Government of Bengal, to F. C. SMITH, Esq. Superintendent of Police, Lower Provinces No. 354, dated 27th March, 1838.*

In reply to your letter No. 103, under date the 21st ultimo, I am directed to inform you that the Hon'ble the Deputy Governor of Bengal approves the instructions you propose to issue to the several Magistrates and Joint Magistrates within your jurisdiction on the course of proceeding to be adopted in cases of appeal by ministerial and police officers subordinate to those functionaries.

## No. XXVII.

### TO ALL MAGISTRATES.

No. 21, of 1838.

No. 21.—Dated 15th May, 1838.

Rule for submission of contingent bills to Civil Auditor direct.

I HAVE the honor to communicate for your information and guidance, the accompanying copy of a letter from Mr. Officiating Secretary Halliday under date the 10th instant No. 772 conveying the orders of Government regarding your contingent bills.

I beg to enclose the bills you have transmitted to my office.

From F. J. HALLIDAY, Esq. *Officiating Secretary to the Government of Bengal*, to F. C. SMITH, Esq. *Superintendent of Police, Lower Provinces*, No. 772, dated 10th April, 1838. No. 21, of 1838.

With reference to your letter (No. 21) of 10th January last, I am directed to inform you that under the circumstances, the Deputy Governor of Bengal has been pleased to direct the Magistrates to revert to the system in use before 1829, viz. to solicit sanction as usual for all contingent expenses either from the Superintendent of Police or the Sessions Judge according to the nature of the case, and to forward contingent bills with vouchers direct to the Civil Auditor, instead of sending them through another office for countersignature.

2. You will instruct the Magistrates accordingly.

 For particulars regarding the powers of the different officers to pass contingent charges, see Appendix.

## No. XXVIII.

### TO ALL MAGISTRATES.

No 22.—Dated 31st May, 1838.

No. 22, of 1838.

**I** BEG to inform you for your future guidance, that the report of the result of the annual enquiries into the sufficiency of the security given by the officers of the Fouzdarry Court of your Zillah, directed to be made in the month of December of every year, under the Circular Orders of the Sudder Dewanny Adawlut, dated the 23d September, 1831, is in future to be sent to this office.

Magistrates to report to Supt. of Police annually on the sufficiency of the security of the officers of the Fouzdarry Courts.

2. You will therefore be pleased early every January to make the report.

See C. O. Supdt. of Police L. P. No. 12 of the 16th Sept., 1815.

The Court having understood that the security statements of native ministerial officers of the Magistrates' courts, entrusted with public money, (which were required by the Circular Orders Nos. 34, 150, and 193, dated respectively the 23rd September, 1831, 3rd July, 1835, and 16th December, 1836) are forwarded to the Superintendent of Police, are pleased to dispense with your submitting such statements to them in future.—*Circular Orders Nizamut Adawlut to Magistrates and Joint Magistrates in the Lower Provinces*, No. 87, dated 2nd July, 1841.

The security statements of native officers of Magistrates Courts, dispensed with by the Nizamut Adwt.

In pursuance of the orders of Government, I am directed by the Court of Sudder Dewanny and Nizamut Adawlut to transmit to you the accompanying extract (Paragraph 36,) from a letter from the Hon'ble the Court of Directors, dated the 2nd February last, relating to the periodical revision of the securities of native officers entrusted with public money.

Transmitting an extract of a letter from the Hon'ble the Court of Directors, relating to the periodical revision of the securities

No. 22, of 1838.

of Treasurers and other native officers, with instructions for submitting an annual report on the subject.

2. The Court observe that security should be taken from Treasurers, Nazirs, and other officers, who, in the discharge of their public duty, have charge of money or property, whether public or belonging to private individuals, and that the sureties should bind themselves to make good all losses sustained by the default or fraud of the officer for whom they are bound. With regard to the amount of property to be pledged by the surety, and entered in the schedule at the foot of the bond, the Court observe that it must be regulated according to the circumstances of each case, and the amount or value of the money or property which may be likely to be left in the hands of the officer from whom the security is required; and that the surety should bind himself not to sell, or in other manner alienate the property in question until he be relieved from his responsibility.

3. The Court desire, that in taking security in future, you will follow this principle, and be particularly careful to ascertain the sufficiency of the security. They also direct, that you will cause the efficiency of the security of the officers on your establishment, who are required to furnish it, to be carefully revised during the last week in December of each year; and that you\* will submit a report of the result of the revision, according to the accompanying form.

\* Magistrates and Joint Magistrates excepted.—C. O. N. A. No. 87, dated 2d July, 1841.

*Extract of a letter from the Hon'ble the Court of Directors, dated the 2nd February, 1830.*

Para. 36. We think it would be proper for you to require, after short intervals, a periodical revision of the efficiency of the securities of officers to whose charge money is entrusted under any sort of public guarantee, direct or implied.—Circular Order Sudder Dewanny Adawlut, No. 34, dated the 23rd September, 1831.

#### FORM.

*Report of the result of the inquiry as to the sufficiency of the security given by the officers of the ——— Court ———, made in the month of December, 18—, under the Circular Order of Sudder Dewanny and Nizamut Adawlut, dated the 23rd September, 1831.*

| Name and designation of the officer required to give security. | Amount of security required. | Names of the sureties, with the date of their engagement. | Names of new sureties, the old sureties having been changed. | Remarks. |
|----------------------------------------------------------------|------------------------------|-----------------------------------------------------------|--------------------------------------------------------------|----------|
|                                                                |                              |                                                           |                                                              |          |

Report to be certified,

The above form, for convenience of record, should be uniformly engrossed on a sheet of foolscap paper, and at the foot of it, the following certificate should be inserted.



"Certified that I have revised the securities of the officers above mentioned, and that I consider them good and sufficient." (Signed) A. B. Judge or Magistrate, as the case may be.—*Circular Order Sudder Dewanny Adawlut, No. 193, dated 16th December, 1836.*

No. 22, of 1838.

Form of certificate.

Public officers vouching for the sufficiency of the security of Treasurers or other native officers entrusted with public money, will be considered responsible for the safety of the public funds entrusted to such officers, and held accountable for any insufficiency of security.—*Circular Orders, Sudder Dewanny Adawlut, No. 150, and Nizamut Adawlut, No. 171, both dated 3rd July, 1835.*

Responsibility of certifying officer.

Para. 4. The security on all occasions, where Malzaminee is taken, should be commensurate with the trust. Specific property must be pledged in value sufficient to ensure restitution to Government in the event of malversation; that is to say, the value of the pledge must correspond with the value of the property, which will be committed to the custody of the individual for whom the surety is bound. Besides the specific pledge, you will observe that the party is to guarantee that if a defalcation shall take place which the proceeds of the property mentioned in the bond prove insufficient to make good, the surety will be answerable in any other property he may possess, which is available for that purpose at the time of the malversation, for the remaining deficiency.—*Circular Order Sudder Board of Revenue, No. 212, dated 17th June, 1834.*

Description of security to be taken, and precautions to be observed in taking.

Landed property situated within the jurisdiction of the Supreme Court should not be taken in security. *C. O. Sudder Board of Revenue, No. 254, dated 10th April, 1835.*

Landed property in Calcutta not to be taken in security.

No shares in any private Bank or Joint Stock Company whatever, to be accepted as security from public officers of Government.—*Govt. Order, 1st June, 1847.*

Private Bank or Joint Stock Companies shares not to be accepted.

With reference to the provisions of Act I. of 1843,\* which enact that henceforward all registered documents shall take precedence of others not so attested, the Court conceive that a due regard to the security of the interests of Government requires, that all security bonds executed by the securities of Treasurers, Nazirs and other ministerial officers attached to the judicial courts should be only registered in conformity to the provisions of the enactment cited; and are accordingly pleased to direct that all such and other documents likewise of a similar character by the annulment or repudiation of which the interests of Government are liable to be injuriously affected shall be subject to registry; that the civil and criminal authorities in the lower provinces shall satisfy themselves that the lands to which the registered security deeds relate, have not been already conveyed away by any previously registered deeds and that such registration and scrutiny shall be deemed an indispensable preliminary to their acceptance as good and valid engagements. The fees attendant on this process\* must be defrayed by those from whom security is demanded, and whose tenure of office is dependent on their compliance with such requisition.

Registration prospectively, of all security bonds executed by the sureties of Treasurers, Nazirs, and other ministerial officers attached to the judicial courts.

\* See the modified provisions contained in Act XIX. of 1843.

2. As the validity of deeds, bonds and documents of every description executed previously to the passing of this enactment, is not affected by its provisions, the registration of such need not be insisted on. These instructions are intended to have prospective effect only.—*Circular Order Nizamut Adawlut, No. 136, of 2nd May, 1843.*

\* See C. O. Supdt. of Pol. L. P. No. 2 of the 11th February, 1852.

With reference to the provisions of Act XIX. of 1843, the Sudder Court, under a resolution recorded by that Court, require the registration of security bonds of every description.—*Circular Order Sudder Dewanny Adawlut, No. 134, of the 17th July, 1846.*

Security bonds to be registered.

**No. XXIX.**

TO ALL MAGISTRATES.

No. 23.—Dated 31st May, 1838.

No. 23, of 1838.

**I** REQUEST you will forward me every first of July and January a return as per the annexed form.

Form of half yearly return of covenanted officers employed in the district.

*A return of the Covenanted Civil Servants employed in Zillah ——— in the Fouzdary Department, for the ———\* six months of ———.*

| Name of the Magistrate and date of taking charge. | Name of Jt. Magistrate. | Names of Assistants with special powers. | Name of Assistant. | Remarks |
|---------------------------------------------------|-------------------------|------------------------------------------|--------------------|---------|
|                                                   |                         |                                          |                    |         |

N. B.—If any functionary has taken charge, or been removed within the period, the date of taking charge and of removal to be distinctly stated. In the "Remarks" the Magistrate will state his opinion of the conduct and qualifications of his subordinates.

**No. XXX.**

TO ALL MAGISTRATES.

No. 24.—Dated 18th June, 1838.

No. 24, of 1838.

The Supt. of Police to be addressed by official designation in full.

**I** REQUEST you will, in addressing me, invariably write "Superintendent of Police for the Lower Provinces," as letters merely addressed "to the Superintendent of Police, Calcutta," are often sent by the Post Office to Captain Birch, the Calcutta Superintendent of Police.

\* Since required annually.



**No. XXXI.**

TO ALL MAGISTRATES.

No. 25.—Dated 22nd June, 1838.

No. 25, of 1838.

IN consequence of an application having been made to Government through this office by a Magistrate for permission to expend a sum from the surplus chowkeydaree tax of his district, I have the honor to annex for your information and guidance, an extract from a letter to my address, No. 997, under date the 15th instant from the Judicial Secretary to the Government of Bengal, and to request that you will invariably apply for the sanction of Government through my office before you undertake to expend any surplus in hand.

Sanction of Govt. to be obtained through Supt. of Police L. P. to appropriation of surplus chowkeydaree tax, and applications for such sanction, to state the amount surplus in the treasury.

2. You are also requested whenever you apply for permission to appropriate any portion of the chowkeydaree tax of your district for the purpose of cleaning and repairing the town in which it is levied, that you will at the same time forward an account current showing the actual surplus in the treasury at the time.

*Extract from a letter from the Secretary to the Government of Bengal in the Judicial Department, to the address of the Superintendent of Police, Lower Provinces, dated the 15th May, 1838, No. 997.*

3rd. With reference to your second paragraph, I am directed to notice that Act XV. of 1837, makes it lawful for a Magistrate to appropriate a portion of the chowkeydaree tax to the purpose of cleaning and repairing the town in which it is levied, but his honor is of opinion that no such appropriation should be made, until it has been ascertained that there is a surplus fund, and the amount required to be expended has been sanctioned by Government.

*See Circular Orders Superintendent of Police Lower Provinces Nos. 6 and 14 of 1838.*

*Act XV. of 1837, Section I.*

I. It is hereby enacted, that from the 1st day of July, 1837, it shall be lawful for the several Magistrates and Joint Magistrates within the Presidency of Fort William in Bengal, to appropriate a portion of the tax (a) levied under Regulation XXII. 1816, of the Bengal Code, to the purpose of cleansing and repairing the towns in which that tax is levied.

A portion of the tax levied under Reg. XXII. 1816, may be appropriated to the cleansing and repairing of the towns in which it is levied.

(a) This tax is a Police-tax : it is appointed for the maintenance of Chowkeedars.

**No. XXXII.**

TO ALL MAGISTRATES.

No. 26, of 1838.

No. 26.—Dated 22nd June, 1838.

Calling for certain statements.

**REQUESTING** the due submission of certain periodical statements, and desiring the submission monthly, “by the 10th of each ensuing month,” of the following three statements.

\* C. O. Nizt.  
Adwt. No. 155 of  
the 12th Dec. 1834.

No. 1. According to the order of the 12th December,\* 1834, statements of crimes, &c. with the abstract.

No. 2. Comparative statement of heinous offences committed in the district.

No. 3. Monthly report of dismissals and appointments of the Police and ministerial officers of the Magistrate’s office. (*Abstract*).

**No. XXXIII.**

TO ALL MAGISTRATES.

No. 27, of 1838.

No. 27.—Dated Fort William, 27th June, 1838.

**REQUIRING** the early submission of certain periodical statements. (*Abstract*).

**No. XXXIV.**

TO ALL MAGISTRATES.

No. 28, of 1838.

No. 28.—Dated 13th July, 1838.

**REQUIRING** information, to be submitted according to form annexed, “of the number of convicts who escaped from confinement and who were recaptured” in each district. (*Abstract*).

**No. XXXV.****TO ALL MAGISTRATES.**

No. 29.—Dated Fort William, 7th July, 1838.

No. 29, of 1838.

**C**IRCULATING a letter, No. 1227 of the 25th June, 1838, from the Secretary to the Government of Bengal in which the following scale of travelling allowances is prescribed for the omlah of Magistrates, when on tour in the interior of their districts.

Travelling allowance of omlah.

*Native Office.*

|                                  |         |                   |
|----------------------------------|---------|-------------------|
| Where the salary does not exceed | 10 Rs.  | 2 Annas per diem. |
| _____                            | 25 Rs.  | 4 Annas ditto.    |
| _____                            | 40 Rs.  | 6 Annas ditto.    |
| _____                            | 60 Rs.  | 8 Annas ditto.    |
| _____                            | 80 Rs.  | 12 Annas ditto.   |
| _____                            | 100 Rs. | 1 Rupee ditto.    |

*English Office.*

|                                  |         |                    |
|----------------------------------|---------|--------------------|
| Where the salary does not exceed | 60 Rs.  | 12 Annas per diem. |
| _____                            | 100 Rs. | 1 Rupee ditto.     |
| _____                            | 200 Rs. | 2 Rupees ditto.    |
| Where the salary is above        | 300 Rs. | 3 Rupees ditto.    |

*(Abstract).*

 This scale of travelling allowance has been modified, see Circular Orders Superintendent of Police, Lower Provinces No. 13 of the 12th October, 1839, and No. 10 of the 11th August, 1845.

**No. XXXVI.****TO ALL MAGISTRATES.**

No. 30.—Dated Fort William, 16th August, 1838.

No. 30, of 1838.

**A**N instance having been lately brought to the notice of Government of an extra sweeper having been employed for a considerable period beyond the time allowed; I have been directed to point out to you the evil of such charges being allowed to run on beyond\* *the limited period of six months, and to desire that in future you will strictly attend to the orders contained in Mr. Secretary Thomason's letter to the Civil Auditor under date the 31st August, 1832, and circulated on the same day.*

Extra estabts. not to be retained without authority beyond the period for which allowed.

\* Modified. See C. O. Supt. of Police L. P. No. 12, dated 5th June, 1844, and No. 7 of the 21st June, 1850.

No. 30, of 1838.

2. Should there be any extra establishment kept up by you beyond the limited period, I request you will immediately either report on them with a view to their permanent employ, or that you will at once discharge them.

*From the Officiating Secretary to Government in the Revenue Department, to the Civil Auditor, No. 1509, dated the 31st August, 1832.*

Temporary Establishments require sanction of Govt. after six months.

See C. O. S. B. of R. No. 154 of the 14th Sept., 1832.

It has of late been frequently brought to the notice of Government, that establishments, nominally temporary, which have at first been entertained on the authority of officers, or Boards, in whom the discretion to authorize such temporary establishments has been from time to time vested, have been maintained for a long period of years. The grounds on which they were originally entertained, have thus been lost sight of, whilst the local officers have been insensibly led to consider them as part of their fixed establishments and as necessary for the conduct of the usual current business. A greatly increased charge has thus been brought upon the State, in the reduction of which much inconvenience is experienced.

2. His Honor in Council is therefore pleased to determine, that the discretion given to any Boards, Commissioners, or other officers, to sanction temporary establishments, shall be restricted to the period of six months. The date of the order authorizing a temporary establishment shall be stated in the contingent bill in which it may be charged, and such order shall be held to have effect only for the period of six months. The establishment, if still required, after the expiration of that period, must be sanctioned by the Government, and if not so sanctioned, shall be disallowed.

## No. XXXVII.

TO ALL MAGISTRATES.

No. 31, of 1838.

No. 31.—Dated 17th August, 1838.

Fines levied from Chowkeydars to be credited to the Surplus Chowkeydaree Funds.

I ENCLOSE copy of a letter No. 726 from the Secretary to Government under date the 10th July to my address, in which fines imposed on Chowkeydars employed at the Sudder Stations and paid by regular assessment are declared to belong to the Surplus Chowkeydaree Fund and not to Government.

*From F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, to F. C. SMITH, Esq. Superintendent of Police, Lower Provinces, No. 726, dated 10th July, 1838.*

I am directed by the Hon'ble the Deputy Governor of Bengal to acknowledge the receipt of your letter No. 741 dated the 25th ultimo with its enclosure, and to request you will inform the Magistrate of Patna, that fines levied on Chowkeydars for neglect of duty should be credited to the Surplus Chowkeydaree Fund, and not to Government.



**No. XXXVIII.**

TO ALL MAGISTRATES.

No. 32.—Dated, on the river, 6th August, 1838.

**CALLING** for information, regarding the extent and population of every district in Bengal.

No. 32, of 1838.

**No. XXXIX.**

TO ALL MAGISTRATES.

No. 33.—Dated, on the river, 4th September, 1838.

No. 33, of 1838.

**I** REQUEST you will be so good as to furnish with as little delay as possible, an account current of the fund for the repairs of the Thannahs of your Zillah, which have been made by withholding the monthly allowance granted by Government for that purpose, from May, 1823, to the present time, in conformity with the orders of Government, dated the 8th May, 1823, communicated by the late Superintendent of Police, Lower Provinces on the 25th May, 1823.

Repairs of Thannahs.

See C. O. Supt. of Police, L. P. No. 17 of 11th August, 1840, and para. 3 of No. 13 of 30th August, 1842.

*From W. B. BAYLEY, Esq. Chief Secretary to Government, Judicial Department, to the Superintendent of Police, Lower Provinces, dated the 8th May, 1823.*

G. O. 8th May, 1823.

I am directed by the Hon'ble the Governor General in Council to acknowledge the receipt of your letter of the 22nd ultimo, with its enclosure, on the subject of the monthly expense allowed for the Police establishments, in the articles of Stationery and Cutcherry repairs.

2. On a consideration of the circumstances stated by you, the Governor General in Council has been pleased to resolve, that the following sums be authorized on these accounts, to be chargeable from the 1st of the present month.

|                                          |   |                       |                   |
|------------------------------------------|---|-----------------------|-------------------|
| For the Cutwallces at the Sudder Station | { | Stationery, . . . . . | 5 Rs. per mensem. |
| of the Zillah or City Magistrates or     |   | Repairs, . . . . .    | 0    "    "       |
| Joint Magistrates, . . . . .             |   |                       |                   |
| For every Mofussil Thannah, . . . . .    | { | Stationery, . . . . . | 3    "    "       |
|                                          |   | Repairs, . . . . .    | 2    "    "       |
| For every Chokee, Pharree or Ward, . .   | { | Stationery, . . . . . | 1    "    "       |
|                                          |   | Repairs, . . . . .    | 12 As.    "    "  |



No. 33, of 1838.  
G. O. 8th May, 1823.

3. No allowance is to be made for the repairs of the Cutwallce buildings, they are very frequently of large dimensions or constructed of pueka materials, and it is considered more expedient that they should be repaired from time to time under the sanction of the Magistrate, and that the actual expense should be charged in his contingent bills.

4. It does not appear to be necessary that the Police Thannah Cutcheries throughout the Lower Provinces, should be now repaired at the expense of Government. Some monthly allowance has always been granted for this purpose, and the Magistrates should see that they are put in proper order by the person or persons who have received the allowance.

5. If however, the state of the Thannahs in any particular district or division should seem to warrant a deviation from this principle, you will report the circumstances of each case for the special consideration of Government.

## No. XL.

### TO ALL MAGISTRATES.

No. 34, of 1838.

No. 34.—Dated, on the river, 13th September, 1838.

Forms to be submitted with Police Statement, No. 18.

*Para. 2.* I have further to request that you will be guided by these forms in preparing in future the statement in question, including the supplement thereto.

*Note for Police Statement, No. 18.*

|                                                                 | Number of<br>persons apprehended. | Released. | Punished. | Pending. | Remarks. |
|-----------------------------------------------------------------|-----------------------------------|-----------|-----------|----------|----------|
| Summoned by the Magistrate on Petty Hazzooree complaints, ..... | ...                               | ...       | ...       | ...      |          |
| Sent in by the Police Dargah, .....                             | ...                               | ...       | ...       | ...      |          |
| Total, .....                                                    | ...                               | ...       | ...       | ...      |          |

*Memorandum for Police Statement, No. 18.*

No. 31, of 1838.

|                 | Number. | Enquired into at the requisition of the person robbed. | Enquired into by order of the Magistrate. | Not enquired into under Reg. II. of 1833. |
|-----------------|---------|--------------------------------------------------------|-------------------------------------------|-------------------------------------------|
| Theft,.....     | ...     | ...                                                    | ...                                       | ...                                       |
| Burglary, ..... | ...     | ...                                                    | ...                                       | ...                                       |
| Total, ....     | ...     | ...                                                    | ...                                       | ...                                       |

See C. O. Superintendent of Police, Lower Provinces, No. 38 of the 30th November 1838, No. 41 of the 28th December, 1838, and No. 6 of the 10th May, 1845.

**No. XLI.****TO ALL MAGISTRATES.**

No. 35.—Dated 15th October, 1838.

No. 35, of 1838.

I HAVE observed in many cases that the wholesome rule laid down in Clause 17, Section 19, Regulation XX. 1817, has been entirely departed from by Darogahs of Thannahs, and that they constantly at their pleasure arrest and release prisoners without exacting bail.

2. As this is one of the chief means by which the Police are enabled to extort money, I beg leave to call your particular attention to the subject, and to desire that you will issue the most imperative orders to your Police officers to obey the injunction of the clause quoted; and that it will be expected in future, that no person once arrested shall be discharged at the Thannah except on bail or under the special orders of the Magistrate.

Rule, to be strictly observed, that persons once arrested are not to be discharged except by bail or special orders.

See C. O. Supdt. of Police, L. P. No. 38 of 30th Nov. 1838.

*Regulation XX. of 1817, Section 19, Clause 17.*

*Seventeenth.*—The officers of Police shall report to the Magistrate the cases of all persons apprehended within their respective jurisdictions, whether such persons may have been admitted to bail or otherwise; and no person who may be once apprehended shall be discharged, except on bail or under the special orders of the Magistrate.

Regn. XX. of 1817. Persons apprehended, whether bailed or not, shall be reported, and shall not be discharged, except on bail or by special order.

**No. XLII.**

TO ALL MAGISTRATES.

No. 36.—Dated, on the river, 18th October, 1838.

No. 36, of 1838.

Magts. to submit to Supdt. of Police all Roobucarrees of commitments, or their decisions, when they are for acquittal, in certain cases.

**T**O enable me to prepare my report to Government, it is essential that I should have before me the Roobucarrees of commitment or decision, when they are for acquittal in all cases of murder, homicide, dacoity, highway robbery, burglary with murder, or wounding or personal injury, theft with murder; but I regret to state that, although I have several times called the attention of the Magistrates, there is not I believe, one district that has furnished all the Roobucarrees wanted.

2. As my report is now entirely delayed by this neglect to furnish me with the papers required, I request you will as soon as you possibly can, send me the Roobucarrees of commitment in all the cases included in lines 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14, 15, 17, 18, 21, 22, 28, 29, of Statement No. 18 and the supplement, and that you will furnish the decisions of the Sessions Judge or of the Nizamut Adawlut whenever they may be received.

3. I take this opportunity to request that you will examine No. 18 and its supplement which you have furnished me, and that you will see that the explanatory columns from 6 to 14 tally with column 5.

4. I enclose a Roobucarree which will shew your own Amlah also what is wanted.

**No. XLIII.**

TO ALL SESSIONS JUDGES.

No. 37.—Dated 5th December, 1838.

No. 37, of 1838.

Form of returns in which criminal trials are to be inserted and sent to Supdt. of Police.

**I** HAVE the honor to annex a form in which I beg you will be so good as to insert all criminal trials held by you, and to send it to me on the 1st of July and 1st of January in future.

2. To such cases as you consider most deserving of being brought to my notice it will be useful to give a short abstract in the column of remarks. This will cause a considerable saving, as at present you have to send copies of the voluminous statements which are transmitted periodically to the Nizamut Adawlut.

*Abstract Statement of the Trials held by the Sessions Judge of \_\_\_\_\_ for the* No. 37, of 1838.  
*\_\_\_\_\_ six months of 183 .*

| Number. | Names of Prisoners. | Crime charged. | Acquitted for want of proof of guilt, or on clear proof of innocence. | Crime established, whether on violent presumption or on full legal proof. | Referred to the Nizt. Adawlut, and when. | Sentence by whom and when it was passed. | Remarks. |
|---------|---------------------|----------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------|------------------------------------------|------------------------------------------|----------|
|         |                     |                |                                                                       |                                                                           |                                          |                                          |          |

## No. XLIV.

### TO ALL MAGISTRATES.

No. 38.—Dated Fort William, 30th November, 1838.

No. 38, of 1838.

**I** REQUEST that in future, you will be pleased to insert a note at the back of the Police statement, No. 18, to the following purport.

Notes and memorandum to be inserted in Police statement No. 18.

*Note to Column 5, Statement 18.*

|                                                                                                                             | Total. |
|-----------------------------------------------------------------------------------------------------------------------------|--------|
| 1. Number of persons apprehended and inserted in Column 5, .....                                                            | 0      |
| 2. Number of persons apprehended and sent to the Magistrate or his assistants at the Sudder Station* by the Darogahs, ..... | 0      |
| 3. Number of persons released on bail in the mofussil by the Darogahs, .....                                                | 0      |
| Total, .....                                                                                                                | 0      |

\* See C. O. Supt. of Police, L. P. No. 41 of the 28th Dec. 1838.

No. 38, of 1838.

\* See C. O. Supt. of Police, L. P. No. 35 of 16th Oct. 1838.

2. You will in future be particular in insisting on the Darogahs obeying the orders contained in Clause 17, Section 19, Regulation XX. of 1817,\* to which I drew your attention in my Circular Letter No. 35 of 1838, and you will insert a memorandum in the note of any persons arrested by the Darogahs and released without taking bail, should such for any special cause take place.

3. The note and memorandum which was called for by my Circular No. 34 of 1838, you will be pleased to insert in future at the back of statement 18,† which will consequently contain two notes and one memorandum.

† See C. O. Supt. of Police, L. P. No. 41 of 28th Dec. 1838.

## No. XLV.

TO ALL MAGISTRATES.

No. 39, of 1838.

No. 39.—Dated Fort William, 30th November, 1838.

Account current of fines collected by the Police on stray cattle, how disposed of.

I REQUEST you will be pleased to prepare an account current of the fines collected by your Police officers on cattle found straying, from the 1st of January, 1836, that you will state in what manner the said fines are expended, the amount to which the Darogahs are permitted to exact fines, and the checks by which peculation or extortion are prevented.

## No. XLVI.

TO ALL MAGISTRATES.

No. 40, of 1838.

No. 40.—Dated Fort William, 14th December, 1838.

Extorted confessions.

See C. O. Supt. of Police, L. P. No. 6 of 16th April, 1853.

I HAVE found during my late tour a considerable difference of opinion in regard to extorted confessions, which some Magistrates and a few Sessions Judges consider to be very common, and others disbelieve the charge altogether. As much evil to the people may be done by a systematic disbelief, as well as much injury to the Police by a too ready reliance on such accusations, I have the honor to send for your information, an extract from a minute written by Sir Thomas Munro when Governor of Madras, in which the subject is fully and admirably discussed in all its bearings.



*Extract from a minute recorded by the late Sir Thomas Munro, Governor of Madras.*

No. 40, of 1838.

13. The Hon'ble Court have adverted at considerable length and with just severity upon the conduct of the Native Police officers in extorting confessions from prisoners; and they specify some very atrocious cases, among which are the murder of a man by a peon, in endeavouring to extort a confession, and the maiming a prisoner, by a Potail, in torturing him for the same object. In both these cases, however, it is satisfactory to know that the offenders were convicted and punished, one capitally and the other with two years' imprisonment and hard labor. The Judge who reports, fears that cases of forced confession are too common, even among the officers of Government, but observes that the proof is deficient. When violence really takes place, the proof cannot be deficient, but I believe that in a great proportion of the cases where it is charged, none has been used. It is much more general in Malabar and Canara than in other zillahs, and the difference is probably owing to the people of Malabar and Canara, still retaining much of the turbulent and vindictive character which they acquired while divided into petty states, and little restrained by any regular authority from exercising acts of outrage on each other.

14. It is no doubt too certain that many irregularities are used in obtaining confessions, and that in some instances atrocious acts are committed; but when we consider the great number of prisoners apprehended, and the habits of the people themselves always accustomed to compulsion where there is suspicion, how difficult it is to eradicate such habits and how small the proportion of cases in which violence has been used is to the whole mass, the number of these acts is hardly greater than was to be expected and is every day diminishing. The prohibition against forced confessions is known to all Native Police officers, and it seems extraordinary that they should even employ force, for they know that they have much to lose and nothing to gain by such conduct; but some of them in spite of every injunction to the contrary, when they believe that a prisoner is guilty, think it right to extort a confession. Police officers in general, however, will not gratuitously expose themselves to loss of place, and their families to ruin by such conduct. Prisoners are sometimes hurt by attempting to escape, and notorious offenders are sometimes roughly treated by the villagers who assist in securing them, the marks thus caused are sometimes exhibited as evidence of extorted confession. Wherever there is proof of force having been used for such purpose, the Police officers should be invariably punished and dismissed from the service. But great caution is necessary in believing the accusation of force: it should always be very clearly established before it is entitled to credit. Police matters are so public that the charge of violence, when true, can hardly be concealed. There are two things in which there is constantly very great exaggeration, the number of persons concerned in a robbery, and the number of extorted confessions: only a small part of the alleged cases of extorted confessions are ever substantiated. The Circuit Court say that the proof is difficult. I believe that when true, the proof is easy, and that the difficulty lies in by far the greater part being unfounded. The charge is easily made and the effects of its receiving belief from the Court of Circuit is so generally known, that offenders very frequently bring it forward in some stage of the trial. It is a point

No. 40, of 1838.

which demands the greatest possible circumspection on the part of the Magistrate. If he lets the person escape who has been guilty of extorting confession, he encourages one of the worst offences against the administration of justice. If he punishes the Police officer charged with this offence, in only a very few instances on false evidence, he will effectually deter the whole body from the zealous exercise of their duty, and let loose a host of robbers upon the community. No number of zillah courts would prevent the excesses complained of among the Native Police; were we to double the number, it would have no effect in restraining them. They can only be checked and effectually put down by the vigilance of the Magistrates; by never letting them pass unpunished; by the Police officers finding from experience that they never could gain anything from the use of force, but would certainly suffer disgrace and punishment; and by time working a change in their habits.

15. The irregularities committed by the Police are now much more difficult of concealment, than when the office of Zillah Judge and Magistrate were united in one person, confined to a fixed station; and though too many of the Police officers are still frequently guilty of such irregularities, yet the conduct of the great body of them is highly useful and meritorious, and its effects are becoming every day more evident in the increasing tranquillity of the country, and the gradual diminution of organized bands of robbers. The amelioration, though occasionally retarded by the misconduct of local officers, continues to advance and is gradually diminishing the number of crimes.

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 *This Circular was also circulated by the Nizamut Adawlut, vide their Circular Order, No. 18, dated the 18th January, 1838, to the address of the Sessions Judges and Commissioner of the 19th Division.*

See Beaufort, Section relating to confessions and treatment of prisoners.

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## No. XLVII.

TO ALL MAGISTRATES.

No. 41, of 1838.

No. 41.—Dated Fort William, 28th December, 1838.

Addition to be made to note in Magistrates' statement 18.

**I** ANNEX for your information, copy of a letter to my address, from the acting Magistrate of Beerbhoom under date the 7th instant, and of my reply of the 12th idem, and request you will add the words "*by the Darogahs*" to No. 2 of the note in my Circular Letter dated the 30th November last, numbered 38 of 1838.

*From H. ATHERTON, Esq. Officiating Magistrate of Beerbhoom, to F. C. SMITH, Esq. Superintendent of Police, Lower Provinces, No. 69, dated 7th December, 1838.*

With reference to your Circular No. 38 dated the 30th ultimo, I request the favor of your explaining to me the difference between Nos. 1 and 2, in the note to column 5, statement No. 18.

No. 1. The "number of persons apprehended and inserted in column 5" seems to me to include the same persons and no more or less than those to be entered in No. 2, viz. "Number of persons apprehended and sent to the Magistrate or his assistants at the Sudder Station," who are those apprehended and brought to trial as inserted in column 5.

*From F. C. SMITH, Esq. Superintendent of Police, Lower Provinces, to H. ATHERTON, Esq. Acting Magistrate of Beerbhoom, No. 1483, dated 12th December, 1838.*

In reply to your letter of the 7th instant, I beg to state that No. 1 should include the sum total of persons arrested and brought to trial, whether arrested by the Darogahs, by the Nazir, or by your own warrants. No. 2 is intended solely to comprise the number of persons apprehended and sent in to the Magistrate by the Darogahs. I request after the last word in No. 2, viz. "station," you will add the words "*by the Darogahs.*"

## NO. XLVIII.

### TO ALL MAGISTRATES.

No 1.—Dated 29th January, 1839.

No. 1, of 1839.

I ENCLOSE two forms in which it is my wish, that the dismissals and appointments of the police and ministerial officers of your district should be forwarded to me every\* month, in addition to the reports you at present make for my sanction.

2. I request you will, with the police reports for the last six months of 1838, send me these forms filled up for that period.

3. To prevent delay I have had a number of these two forms lithographed, and I forward twelve of each description.

Returns of dismissals and appointments of police and ministerial officers to be made monthly to Supt. of Police L. P.

\* From the annual return, the cases of officers dismissed, but reinstated by the Supt. of Pol. within the year, are to be excluded. See C. O. Supt. of Pol. L. P. No. 6 of 10th May, 1845.

Monthly Report of Dismissals and Appointments of the Police Officers of Zillah \_\_\_\_\_,  
for the month of \_\_\_\_\_.

[illegible]

*Monthly Report of Dismissals and Appointments of the Ministerial Officers of Zillah*  
 \_\_\_\_\_, for the month of \_\_\_\_\_.

[illegible]



**No. XLIX.****TO ALL MAGISTRATES.**

No. 2.—Dated 30th January, 1839.

No. 2, of 1839.

**I**N order, to institute vigorous and combined proceedings for the effectual suppression of the heinous offences of gang robbery or dacoity, it is essentially necessary that every Magistrate should not only freely communicate with me on the subject either privately or publicly, but that no dacoity attended by aggravated circumstances should be suffered to take place without his immediately submitting to me a report, containing a brief statement of the case, and to prepare the means requisite for the arrest of the parties concerned.

Magistrates to report immediately to the Supt. of Police in English, the occurrence of any aggravated case of dacoity, and afterwards to make weekly reports of their proceedings.

See C. O. Supt. of Police, L. P. No. 11 dated 14th October, 1851.

2. You will therefore consider it as a fixed and invariable rule not to be departed from without good and sufficient cause, immediately on the receipt of intelligence, that a dacoity attended with murder, torture, wounding, or other aggravating circumstances has occurred, to submit for my information and orders a report in the English language, in which you will insert a brief abstract of the circumstances of the case and of your proceedings.

3. In all such cases it will be requisite that you should send a weekly report of the progress in arresting the offenders and eliciting information, and that you should continue to send such reports till the culprits are arrested, or all immediate hopes of bringing them to justice have passed away.

4. It is necessary, from the neglect of several Magistrates who have kept me in entire ignorance of their proceedings, that you should be impressed with the absolute necessity of keeping me fully acquainted with the occurrence of all heinous crimes and offences, particularly dacoities, highway robberies, and affrays, for it must be obvious that my office can be of no utility or assistance towards the suppression of crime, if I am kept in ignorance of their occurrence.

5. From the general, cheerful and willing respect which has been shown to my wishes and requests, I feel confident that I shall not appeal to you in vain for that co-operation and assistance in the performance of a duty in which we are both equally interested and concerned. I place every reliance on your zeal for the service, and the honor, and the credit of our department, but so impressed am I with the absolute necessity for the adoption of combined measures for the suppression of crimes that however pain-



No. 2, of 1839.

ful the duty may be, I shall consider it my bounden duty to Government to bring to its notice any want of co-operation, which I may unfortunately experience on the part of any Magistrate or Joint Magistrate.

## No. L.

### TO ALL MAGISTRATES.

No. 3, of 1839.

No. 3.—Dated 6th February, 1839.

The chowkey-daree cess to be collected by the Bukshee; Chowkeydars to be paid before the Magt.; the tax to be assessed equitably; and the houses of Europeans as well as Natives to be taxed.

See also C. O. Supdt. of Pol. L. P. No. 8 of the 23rd April, 1841, and No. 4 of 31st January, 1843.

IT has been brought to my notice that in some districts the pay and allowances of the town Chowkeydars entertained under Regulation XXII. of 1816, are not regularly paid, that the collection of the cess for their support is often entrusted to them instead of being collected by the Bukshee, and that great abuses have occurred in the nomination of Chowkeydars. In some instances they are mere faggots, in others they are the servants of the Punchaits.

2. I therefore think it necessary to call your attention to Section 16, Regulation XXII. of 1816, and to request that in future you will invariably cause the cess to be collected under the superintendence of the Bukshee, who should invariably be required to deposit the money, as it comes in, with the Treasurer, taking receipts for the same. A day of payment should be fixed, and on that day the Chowkeydars should be brought to your cutcherry and paid by the Bukshee, either in your presence, or in the presence of any officer of your court, whom you may think fit to depute for the purpose, as directed in Clause 7, Section 16, Regulation XXII. of 1816.

3. I request on the first pay day after the receipt of this Circular, that you will personally examine the Chowkeydars, and weed out the old, the inefficient, and all such as you may consider unfit for the duty either on the above account, or from their connection with the Punchait, and that you will report to me the result of the review now directed to be made.

4. I would also suggest the propriety of your making enquiries how far the assessment has been equitably made, and that the connections and friends of the Punchait and the Omlahs of the different cutcherries have not been unduly favoured.

5. As no class of people should be exempt\* who can afford to pay, you will be pleased to assess the houses of all Europeans, as well as Natives, who reside at the Sudder Station of your district.

\* Act XV. of 1837, Section 3.

*Regulation XXII. of 1816, Sections 15 and 16.*

No. 3, of 1839.

Regn. XXII. of 1816.

XV. For the purpose of realizing the amount of the assessments, for keeping with regularity and accuracy the records appertaining to the subsidiary Police establishments, and for the payment of the monthly wages of the Police Chowkeydars, entertained under this Regulation, an intelligent and respectable Native, duly qualified, shall be selected and appointed by the Magistrate or Joint Magistrate, who shall be denominated the Sudder Chowkeydaree Bukshee, and who shall receive such fixed monthly salary and allowance for the provision of stationery and materials for keeping the prescribed records, as may be determined by the Governor General in Council. In making this selection, it shall be the duty of the Magistrate, or Joint Magistrate, to consult, as far as practicable, the wishes of the most respectable inhabitants of the town.

A Bukshee to be appointed for the realization of the assessments and other duties herein specified.

XVI. First. The Bukshees who may be appointed under the preceding Section, shall be exclusively employed in the duties prescribed by this Regulation, to the faithful discharge of which they shall be sworn, and the Magistrates and Joint Magistrates are strictly enjoined not to allow any Police Darogah, or other public officer, subject to their authority, or any other individual whatsoever, to interfere in any manner with the Bukshee, in the discharge of the duties specified following.

Bukshee to be sworn to the faithful discharge of his duties, and any interference of Police Darogahs or others prohibited.

Second. The Bukshee shall prepare from the lists specified in Section 10, a general register in a book, to be signed and paged by the Magistrate, or by his assistant, or by the Joint Magistrate, containing the names of all persons assessed, the amount payable monthly by each person, and the names and number of Chowkeydars, entertained in each Mohulla, according to the Form (C) in the Appendix.

Specification of the duties of the Bukshee.

Third. On the 1st of each Bengal or Fussily month, the Bukshee shall proceed to collect in person, if practicable, or otherwise with the aid of the Chowkeydars, the Quotas payable by each assessed individual within the limits of the city, or town, being the station of the Magistrate or Joint Magistrate.

Fourth. For all sums so paid, the Bukshee shall sign any receipt or acknowledgment, which may be correctly prepared and presented to him for that purpose, at the time of payment by individuals assessed, who may be able to write; or should the person assessed be unable to write, the Bukshee shall grant a receipt.

Fifth. On the tenth of each Bengal or Fussily month, the Bukshee will deliver to the Magistrate or Joint Magistrate in one list, a statement shewing the names of any defaulters, the Mohulla in which they may reside, and the amount due from each, according to the Form (D) in the Appendix, and upon receipt of which, the Magistrate or Joint Magistrate will proceed as hereafter directed.

Sixth. The whole of the chowkeydaree stipends, which may be realized by the Bukshee, shall be immediately deposited by him, in the treasury of the Magistrate, and for which the receipt of the treasurer shall be taken by the Bukshee.

Seventh. On the last day of each Bengal or Fussily month, the Bukshee and Police Darogah jointly shall cause the attendance of the Police Chowkeydars at the cutcherry of the Magistrate or Joint Magistrate, where they shall be paid their monthly wages in presence either of the Magistrate or of his assistant, or of the Joint Magistrate; the receipt of each Chowkeydar being taken for the same in such form as may be convenient.

Eighth. The Bukshee will likewise prepare any summons, or process to be issued against defaulters; he shall keep a regular and correct account of all sales, which may be made by him, under the authority of the Magistrate or Joint Magistrate, for the realization of arrears

No. 3, of 1839.  
Regn. XXII. of 1816.

according to such form as shall be prescribed by the Magistrate or Joint Magistrate, and he shall perform any other duties which the Magistrate or Joint Magistrate may direct, connected with the general management of this branch of the Police establishments.

*Form of Register (C).*

| Name of Mohulla. | Names of Panchaite. | Names of persons assessed. | Caste or Profession. | Monthly rates of assessment. | Total amount of assessment in each Mohulla. | Names of Chowkeydars. | Amount of their monthly wages. | Overplus remaining for contingencies. | Remarks, and if no Panchaite appointed, to be noticed here. |
|------------------|---------------------|----------------------------|----------------------|------------------------------|---------------------------------------------|-----------------------|--------------------------------|---------------------------------------|-------------------------------------------------------------|
|                  |                     |                            |                      |                              |                                             |                       |                                |                                       |                                                             |

*Form of Statement (D).*

| Name of Mohulla. | Names of Defaulters. | Caste or Profession. | Amount assessed. | Amount defalcation on the 5th. | Amount voluntarily paid previously to sale. | Remarks, shewing when, and in what manner realized, and if by distress and sale, the date and particulars thereof. |
|------------------|----------------------|----------------------|------------------|--------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
|                  |                      |                      |                  |                                |                                             |                                                                                                                    |

Act. XV. of 1837.

No person exempt from assessment.

*Act XV. of 1837. Section III.*

And it is hereby enacted, that no person whatever shall either by reason of place, of birth, or by reason of descent, be exempted from the payment of any assessment under Regulation XXII. of 1816, of the Bengal Code or under this Act.

**No. LI.****TO ALL MAGISTRATES.**

No. 4.—Dated Fort William, 9th March, 1839.

No. 4, of 1839.

**I**T being essential to have a comparative statement of murders and homicides, I request you will add these two descriptions of crimes to the monthly comparative statement\* which you send me, according to the instructions contained in my Circular Letter, No. 26 of 1838, under date the 22nd June, 1838. They may be added for the present below *forgery*, but whenever your present stock of the lithographed statements is disposed of, the two descriptions of crime, viz. murder and homicide should form the two first items of the statement.

Murders and homicides to be included in the monthly comparative statement furnished to Supt. of Police.

\* This statement is given with C. O. Suptd. of Pol. L. P. No. 6 of the 10th May, 1845.

**No. LII.****TO ALL MAGISTRATES.**

No. 5.—Dated Fort William, 10th May, 1839.

No. 5, of 1839.

**R**EQUESTS that the half yearly returns for the six months of 1839, be submitted to the Superintendent of Police "as soon after the 1st of next July as possible."

**No. LIII.****TO ALL MAGISTRATES.**

No. 6.—Dated Fort William, 22nd May, 1839.

No. 6, of 1839.

**I** AM often at a loss to account for the acquittal or conviction of prisoners made over to the Sessions. As it is necessary that I should possess this information for the purpose of preparing my reports for Government, I request you will in future, commencing with the statements for the first six months of 1839, invariably send me copies of all the Futwahs, either of conviction or acquittal, delivered by the Law Officers at the Sessions, and of the verdicts of Juries and Assessors.

Copies of Futwahs delivered by Law Officers at the Sessions, and of the verdicts of Juries and Assessors to be furnished to Supt. of Police.



**No. LIV.**

TO ALL MAGISTRATES.

No. 7.—Dated Fort William, 22nd May, 1839.

No. 7, of 1839.

Offences to be entered in memo accompanying statement No. 18 of the six—monthly reports.

**T**O prevent future mistakes, I have to inform you, that the memorandum which accompanies statement No. 18 of the six—monthly reports should, under the heads of burglary and theft, contain all offences set forth in statement No. 18, from the 17th to the 23rd head, both included.

**No. LV.**

TO ALL MAGISTRATES.

No. 8.—Dated Fort William, 17th June, 1839.

No. 8, of 1839.

The Govt. of India having remarked that the Police statements are deficient in circumstantiality, fuller information is to be submitted by Magts.

**I**T has been pronounced by the Government of India, that the Police statements which are prepared and sent in by the Magistrates and Joint Magistrates every six months, according to the Circular Order of the Nizamut Adawlut under date the 12th December, 1834, are wanting in circumstantiality with respect to the particular crime of dacoity.

2. The reports which are now furnished to me in compliance with the orders conveyed to you by my Circular Letter of the 30th January last, No. 2 of 1839, will enable me to submit all the information which the Government desire to possess, if they be properly and carefully prepared.

2. On the character of the reports the President in Council observes, that they appear to be wanting in circumstantiality with respect to the particular crime of dacoity. A variety of offences are often included under this generic name and therefore it is desirable to have a more detailed account of such instances as occur, than is necessary in the case of other crimes.

4. It is well observed by the Commissioner of Moorshedabad, that the fact of the perpetrators being inhabitants of the district in which the offence occurs, or persons coming from a distance, affects to a considerable extent the complexion of the case. The worst

3. To enable you to perform this essential part of your duty, I annex in the margin for your guidance, an extract from a letter addressed by order of the Government of India, to the Secretary in the Judicial Department of the Bengal Government under date the 13th May, 1839.

4. As it is desirable that the information required by Government should be comprised in my Police report for the 1st six months of 1839, I shall feel obliged by your looking



of all description of dacoity is, that which is perpetrated by gangs settled in a district and bidding defiance to the Police. The next in the scale of enormity is, when such robberies are perpetrated by gangs coming from remote or foreign countries. The last and least aggravated form that this crime assumes is, when it is committed by parties casually united under the influence of some sudden temptation, or the pressure of accidental calamity.

additional information which you may find on perusal to be wanting in the reports in question.

over the few reports in English of dacoity which you have submitted during the first six months of 1839, and should you find them deficient in circumstantiality, you will be so good as to send me with your Police reports for that period which have been called for by my Circular Letter of the 10th May, 1839, No. 5, the

No. 8, of 1839.

## No. LVI.

TO ALL MAGISTRATES.

No. 9.—Dated Fort William, 17th June, 1839.

No. 9, of 1839.

I HAVE the pleasure to inform you that by recent arrangements, I am now enabled to dispense with duplicate copies of the six-monthly statements which you have hitherto been required to forward to this office, according to the Circular Order of the Nazamut Adawlut under date the 12th December, 1834; you will therefore be pleased in future to send me only one copy of the six-monthly Police statements.

Dispensing with the duplicate copy of half yearly statements hitherto required from Magistrates.

2. As this arrangement will considerably relieve the writers of your establishment, I confidently expect that you will be punctual in the despatch in future of the periodical statements alluded to in this letter.

## No. LVII.

TO ALL MAGISTRATES.

No. 10.—Dated, on the river, 19th September, 1839.

No. 10, of 1839.

REWARDS for killing dogs having in some instances been granted in contravention of the wishes of Government, I was induced to refer to that authority on the subject, and have now been instructed to intimate to you as a standing order, that no rewards are in future to be given for killing dogs except, and subject to the sanction of the Superintendent of Police, on particular occasions when they become rabid or serious apprehensions are otherwise entertained.

Rewards for killing dogs not to be given without sanction of Supt. of Police.

**No. LVIII.**

TO ALL MAGISTRATES.

No. 11.—Dated, “on tour,” 24th September, 1839.

No. 11, of 1839.

**F**ORWARDING a letter from the Magistrate of Rajshahye, regarding a plan adopted by that officer to prevent witnesses to search—sooruthals from being tampered with, and recommending the plan to notice. (*Abstract*).

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*This Circular was recalled by Circular No. 21 of the 12th September, 1840.*

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**No. LIX.**

TO ALL MAGISTRATES.

No. 12.—Dated 24th September, 1839.

No. 12, of 1839.

Documents lost  
by a disaster to  
Supt. of Police, L.  
P. and duplicates  
required.

**O**N the 21st instant my office boat, with the whole of the fleet which accompanied me on my present tour was totally wrecked in a gale of wind at Bauleah, and all the records, both English and Persian, with few exceptions have been destroyed, I therefore beg to apprise you of this disaster and to request that you will send me duplicates of all the letters, Roobucaries and Missils to which you have received no reply, and which in your judgment require orders from me.

**No. LX.**

TO ALL MAGISTRATES.

No. 13.—Dated Fort William, 12th October, 1839.

No. 13, of 1839.

Travelling al-  
lowance to Native  
Omlah, Writers  
and Clerks.

**W**ITH advertence to my Circular Letter No. 29 of 1838, I annex for your information and guidance, copy of a letter No. 195, dated the 29th August last, and of its enclosures, from Mr. Secretary Halliday revising the existing scale\* of travelling allowances for all Native Omlah, Writers and Christian Clerks.

\* This has been  
modified by C. O. No.  
10 of 11th August,  
1845, *quod vide*.

2. You will be pleased when forwarding bills on this account in future for my sanction or countersignature, to add an additional column to them in which should be noted the dates when the incumbents on whose behalf the application is made succeeded to their respective appointments.

From F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, to F. C. SMITH, Esq. Superintendent of Police, Lower Provinces, No. 195, dated 29th August, 1839. No. 13, of 1839.

The subject of travelling allowances to Omlah has been lately brought before His Honor the Deputy Governor of Bengal, who has been pleased to modify the orders issued to you on the 31st of October, 1837, on this subject, and to determine that the scale laid down in the 6th para. of the accompanying copy of a letter to the Secretary, Sudder Board of Revenue of this date, shall in future be considered to apply to all Native Omlah, Writers, or Christian Clerks.

2. You will be pleased to conform to the tenor thereof in future applying the new rules to all Omlah, appointed subsequent to the date of these orders, but continuing to present incumbents, the advantageous rate of travelling allowance which they now enjoy.

From F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, to E. CURRIE, Esq. Secretary to the Sudder Board of Revenue, No. 1246 dated 29th August, 1839.

I am directed to acknowledge the receipt of your letter No. 168 of the 3rd April last, enclosing a letter from the Commissioner of Patna submitting an application from the Native English Writers on his establishment for an increased rate of travelling allowances.

2. The scale of allowances at present in use is as follows :

| <i>Natives.</i>                           |         |   |   |
|-------------------------------------------|---------|---|---|
| Monthly Salary of 10 Rs. 2 As. per diem.  |         |   |   |
| _____ 25                                  | „ 4     | „ | „ |
| _____ 40                                  | „ 6     | „ | „ |
| _____ „ 60                                | „ 8     | „ | „ |
| _____ 80                                  | „ 12    | „ | „ |
| _____ 100                                 | „ 1 R.  | „ | „ |
| <i>Christians.</i>                        |         |   |   |
| Monthly Salary of 60 Rs. 12 as. per diem. |         |   |   |
| _____ 100                                 | „ 1 R.  | „ | „ |
| _____ 200                                 | „ 2 Rs. | „ | „ |
| _____ 300                                 | „ 3 Rs. | „ | „ |

The difference between the Christian and native writers there, is that the former never draw less than 12 annas per diem, or  $22\frac{1}{2}$  Rs. per mensem, whereas the latter draw, some of them only 2 annas per diem.

3. By an order of Government dated the 31st of October 1837, the Superintendent of Police was authorized to pass Bills for travelling allowances to his Omlah at exactly double the rates mentioned in the former paragraph.

4. In your letter under acknowledgment the Board suggested that no difference should be made between the “Native” and “English” Officers as heretofore, but that all Omlah should receive according to the following scale.

No. 13, of 1839.

| <i>Salary per mensem</i> |         | <i>Per diem.</i> |
|--------------------------|---------|------------------|
| Up to 25                 | Rs..... | 5 annas.         |
| 30                       | „ ..... | 6 „              |
| 40                       | „ ..... | 8 „              |
| 50                       | „ ..... | 10 „             |
| 60                       | „ ..... | 12 „             |
| 100                      | „ ..... | 1 R.             |
| 200                      | „ ..... | 2 Rs.            |
| 300                      | „ ..... | 3 „              |

5. Your letter was forwarded to the Civil Auditor, who was requested to furnish the Government with his opinion on the matter. He has suggested in reply that all Omlah receive 3-10th extra pay as travelling allowances.

6. This is considerably less than the scale proposed by the Board, as will be seen from the following Table which contains also the allowances at present granted.

| Salary per mensem. | Present allowances. | Proposal of Board. | Proposal of Civil Auditor. |
|--------------------|---------------------|--------------------|----------------------------|
| 30 Rs.             | 11 4 0              | 11 4 0             | 9 0 0                      |
| 40 „               | 11 4 0              | 15 0 0             | 12 0 0                     |
| 50 „               | 15 0 0              | 18 12 0            | 15 0 0                     |
| 60 „               | 15 0 0              | 22 8 0             | 18 0 0                     |
| 80 „               | 18 0 0              | 30 0 0             | 24 0 0                     |
| 100 „              | 30 0 0              | 30 0 0             | 30 0 0                     |

7. The rates proposed to the Omlah attached to the office of Superintendent of Police are, as before mentioned, double the rates allowed to any other Omlah; but His Honor the Deputy Governor is of opinion, that the most equitable plan will be to equalize the travelling allowances of all Omlah without respect to nation or creed, and he thinks also that the rates proposed by the Civil Auditor, are those which should be followed.

8. Orders will accordingly be issued to the Civil Auditor, and you will be pleased to make the above known to the several officers in the Revenue Department.

9. In the division of Chittagong the Omlah of the Commissioner are now allowed, His Honor believes, a double travelling allowance. The Commissioner should therefore be instructed to continue to present incumbents in his office the advantages they now enjoy, applying the new rule to all Omlah appointed subsequent to this date.

*See Circular Order Superintendent of Police, No. 10, dated 11th August, 1845.*



## No. LXI.

## TO ALL MAGISTRATES.

No. 14.—Dated Fort William, 21st October, 1839.

WITH reference to paras. 871, 872, 873, and 874\* of my Police Report for the 1st six months of 1838, and to the orders of Government on the subject, I request you will immediately discontinue the abuses alluded to therein, should they exist in your District, and report the execution of this order with as little delay as possible.

*Extract from the Report of the Superintendent of Police of the Lower Provinces, for the first six months of 1838.*

Para. 871. Two extraordinary systems for the suppression of dacoities and other robberies have been now current in this district since 1833, and were first adopted by Mr. J. H. Patton. The first is the compelling all Dâgees and Tekorahs to sleep under the surveillance of the Police or of the Zemindars. The second is the compelling of the villagers to assist the Chowkeydars in watching their villages.

872. With respect to the first, I have to observe that the term Tekorah includes all those who have no certain means of subsistence, who depend upon casual employment for their bread. It is the duty of the heads of the villages to collect by means of the Chowkeydars all the bad characters and Tekorahs every evening, and to look in during the night to ascertain that they are present. It is said to have most effectually answered its purpose, but the Hon'ble the Deputy Governor may judge of the magnitude of the evil, and the number of people thus nightly torn from their houses and families, when I state that the whole of the Dâgees are thus compelled to sleep at the Police every night, and two-thirds of the Tekorahs. The Dâgees amounting to 2,143 and the Tekorahs to 48,770: thus no less than 34,628 people are kept under lock and key every night. Malthus would have been delighted at this novel check on the increase of the population.

873. With regard to the second, I am inclined to think that to compel villagers to assist in protecting their own property is contrary to the spirit of Regulation II. of 1832, which gives every person the option to prosecute or not, the people who have robbed him. On the same reasoning he should be permitted to watch over, or neglect to take care of his property according to his own free will and pleasure.

*Extract from a Resolution dated the 25th July, 1839, recorded by the Honorable the Deputy Governor of Bengal, on the Police Report of the Lower Provinces for the first six months of 1838.*

"The Superintendent will be instructed to direct the immediate discontinuance of the abuses noted in the above paragraphs, not merely in Beerbhoom, but in any other district in which such systems may have been adopted."

No. 14, of 1839.

Police not to interfere to procure the payment of Chowkeydars' wages; Munduls, &c. are not to be compelled to keep watch; Dâgees not to be made to sleep under surveillance.

See C. O. Supt. of Police, L. P. No. 8, dated 23rd April, 1841.

\* Omitted, being unimportant.

## No. LXII.

TO ALL MAGISTRATES.

No. 15, of 1839.

No. 15.—Dated Fort William, 21st October, 1839. .

Magts. should frequently visit the interior of their districts.

I REQUEST your particular attention to paragraph 532 of my Police Report for the 1st six months of 1838, and the order thereon passed by the Hon'ble the Deputy Governor of Bengal.

2. I attribute to the numerous visits made by the Magistrates and Joint Magistrates into the interior of their districts, during the year 1838, the marked improvement which has taken place in the police of the country, and it is my wish to impress upon you the great advantage derived by the people, by the Magistrates making themselves more accessible to the natives, than they possibly can be while they continue at the Sudder Station.

*Extract from the Report of the Superintendent of Police, Lower Provinces, for the first six months of 1838.*

Para. 532. There is however one bar to the activity of the Magistrates, viz. the necessity of having some person to remain in charge of their office at the Sudder Station during their absence. I confess I see no reason why they should not move into the interior with their offices, in Bengal, as well as in the Upper Provinces, where it is, or at least when I was a Magistrate, was, the constant custom of Magistrates to be absent with their omlah from their Sudder Stations for long periods of time. I never found any inconvenience from the practice, and I know not why any should exist; I propose, should the Government coincide in this opinion, to instruct the Magistrates accordingly.

*Extract from a Resolution dated the 25th July, 1839, recorded by the Honorable the Deputy Governor of Bengal, on the Police Report of the Lower Provinces for the first six months of 1838.*

The Deputy Governor agrees with the Superintendent that it would be advisable for the Magistrates to visit constantly, the different parts of their district, and he does not see any objection to their making such tours accompanied by their office establishment.

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*See paragraph 2nd of Circular Order of the Superintendent of Police, Lower Provinces, No. 12 of the 7th November, 1850.*

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## No. LXIII.

## TO ALL MAGISTRATES.

No. 16.—Dated Fort William, 3rd December, 1839.

No. 16, of 1839.

THE favorable season of the year for out-door work having set in, I request you will report the roads in your district which in your opinion require repairs, which may be effected through the agency of the prisoners in your Jail.

Employment of prisoners.

Act XVIII. of 1844, vests the control of Jails and prisoners in the Magistrates, under orders direct from Govt.

2. I annex extracts from a letter from the Deputy Secretary to the Government of Bengal, Judicial Department, to me, under date the 29th October last, No. 1746, and from one addressed to the Officiating Magistrate of Dacca from this office, under date the 26th ultimo, No. 1218, and request you will favor me at your earliest convenience with any suggestions which may occur to you or which your local experience may dictate, to further the object in view, of employing the prisoners in the Mofussil in the repairs of roads with advantage to the country in general, and without injurious effect on the health of the prisoners.

*Extract from a letter from the Deputy Secretary to the Government of Bengal, Judicial Department, dated 29th October, 1839, No. 1746, addressed to the Superintendent of Police, Lower Provinces.*

2. By orders of 2nd October, 1838, No. 1156, you have already been authorized to permit of the employment of convicts on roads within the districts in which they may be confined, but it is very necessary that this employment of convicts should take place under sure checks against abuse and mischief. The principal difficulties in the way of so employing the convicts are,

*First.*—The supplying them with food without occasioning oppression to Zemindars, Villagers, Moodies or Bunneahs.

*Second.*—The prevention of outrage on the Villagers along the road on which the convicts may be so employed, as well as of petty annoyances and abuses both on the parts of the convicts and of their guards.

*Thirdly.*—The prevention on the one hand of undue license allowed to the convicts by their guards, and on the other of undue and irremediable severity and ill treatment exercised by the guards over the convicts.

*Fourthly.*—The means of obtaining from the convicts a due quantity of labor well applied.

*Lastly.*—The means of tending them when sick and of preventing the spread of sickness and mortality among them.

No. 16, of 1839.

3. It is undeniably desirable that the proper discipline of a Jail, and the proper separation of classes of prisoners should always be kept up, and if His Honor has not included this among the difficulties to be provided for, it is only because it appears next to impossible to provide for this need among prisoners employed on roads at a distance from the Sudder Station.

*Extract from a letter from the Superintendent of Police, Lower Provinces, to Mr. R. M. SKINNER, Acting Magistrate of Dacca, dated the 26th November, 1839, No. 1218.*

2. You will be furnished hereafter with detailed instructions for the proper management of the prisoners employed in the mofussil, but I wish you to adopt the following at once.

*First.*—Grass choppahs of a portable nature should be made for the lodging of the prisoners and guards, which can be transported on their shoulders as the repair of the road progresses; the choppahs should not be very long, and the uprights and the side pieces should be separate.

*Second.*—You should select a trustworthy man to superintend and oversee the prisoners both at their work and at their quarters, and if either you or your assistant could occasionally visit the prisoners when not expected, it would be attended with good effects; I am not at present aware of any other mode to prevent oppression of the convicts or of the ryots except by this plan, and by punishment when oppression is proved to have occurred.

*Third.*—It will I apprehend be necessary to have recourse to money rations while they are absent from the Jail, for otherwise I know not by what means you can ensure the prisoners obtaining their full allowance. It would be advisable to contract with a person, to supply grain for sale at a price a trifle in excess of the Bazar rates, who should give security for his good conduct. The Police Darogah of the division should furnish him with a weekly *nerick* of the price of grain sold for the past week: a copy should be sent to you also, and you should ascertain also the prices in the neighbouring *hauts* from persons independent of the Police. The prisoners and the guards should be strictly prohibited from entering any village, and the stations of prisoners should always be placed at a distance from any village; this will I trust prevent the ryots being ill used.

*Fourth.*—The prisoners should be recalled to the Sudder Station as soon as the healthy season has passed away, and any prisoner taken seriously ill should be without delay sent to the Jail Hospital. A native Doctor at the Chullee will suffice for the petty indispositions the prisoners may suffer.

*Fifth.*—Separations of prisoners into various classes cannot I fear be made; but if you only send into the mofussil, prisoners under sentence of two years or more imprisonment, their being mixed together will not be of much importance.

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**No. LXIV.**

TO ALL MAGISTRATES.

No. 17.—Dated Fort William, the 10th December, 1839.

No. 17, of 1839.

**C**ALLING for the early submission of certain periodical returns. (*Abstract.*)

**No. LXV.**

TO ALL MAGISTRATES.

No. 1.—Dated Fort William, the 13th February, 1840.

No. 1, of 1840.

**C**ALLING for a list of Police officers of all grades in each district, showing "the rank of each officer, his age, name, and that of his father, with his place of residence." (*Abstract.*)

**No. LXVI.**

TO ALL MAGISTRATES.

No. 2.—Dated Fort William, 13th February, 1840.

No. 2, of 1840.

**I**T appearing that there is no Register kept in the different districts, of those Police officers of all grades, who may from their good conduct or ability be deserving of promotion as vacancies may occur, or higher situations be opened to them, and it seeming highly requisite that some system should be adopted to hold out an encouragement to the natives composing our Police force, that good conduct on their part will be noticed and meet with reward, I have the honor to direct that you immediately open a Register in the annexed form, to be kept in a book in your office in the English and native languages.

2. A similar Register will be kept in this office, and on your making an entry in your District Register, you will immediately forward to me a transcript for record here. It is my wish that all promotions in the Police should be made from amongst those who have been entered in these Registers as deserving of reward, and I shall carefully collate this return with the monthly statements\* of dismissals and appointments received from your office.

Registers to be kept by Magts. of meritorious Police officers.

See C. O. Supt. of Police, L. P. No. 16 of the 30th July, 1840, and No. 13 of the 30th August, 1842.

A similar register will be kept in the office of Supt. of Police.

\* See No. XLVIII.

No. 2, of 1840.

Utility of the  
register to new  
Magistrate.

3. Besides this object, the Register will become, if properly kept up, of great utility to a new Magistrate on entering for the first time in a district, as he will find at once a list of those officers on whom he may rely, instead of having to learn their different qualifications as their proceedings come before him.

*Register of Police Officers deserving of promotion.*

| 1         | 2                                               | 3    | 4                                  | 5                                                      | 6                                                                             | 7                | 8                                 |
|-----------|-------------------------------------------------|------|------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------|------------------|-----------------------------------|
| District. | Name of Police officer with that of his father. | Age. | Rank and designation in the force. | Period of service in the Police in its several grades. | For what particular service or meritorious conduct recommended for promotion. | Remarks by Magt. | Remarks by Supt. of Police, L. P. |
|           |                                                 |      |                                    |                                                        |                                                                               |                  |                                   |

## No. LXVII.

TO ALL MAGISTRATES.

No. 3, of 1840.

No. 3.—Dated Fort William, 14th February, 1840.

Magistrates to see that the provisions of Section 21, Reg. XX. of 1817, regarding the village watchmen are duly enforced.

IT being of the greatest importance to the efficiency of the police that the pusbans, village watchmen, &c., should be properly retained and the lists of them prescribed by Section 21, Regulation XX. of 1817, regularly made up at the thaannahs, and all changes in them duly reported and recorded, I have the honor to direct that you take measures to have the above law duly enforced and also be careful to see that the chowkeedars, &c., are efficient men, regular and attentive to their duties.

2. I would also wish you to ascertain by personal enquiry and communication with the zemindars and others in your district, (not through your darogahs,) how these men are paid, whether in money, grain, or land; what is the average rate of pay; and how many chowkeedars are maintained, with reference to the population. I wish particularly to ascertain whether it is the practice with any zemindars to pay the village watchmen within their estates themselves, levying from their ryots an advanced rent to meet this expense, and if such is the case, what is the rate levied, and is it taken with reference to the amount of the rental paid by the ryots, or at a fixed sum for each individual. In short, I require all the information you can procure regarding the present state, condition, and mode of payment of the village police, within your district.

3. You will be careful, in making enquiries on this subject, not to create alarm amongst the native community, or an impression that any mode of remunerating these watchmen, which they may have adopted, is illegal or improper; but you will acquaint them that the sole object is to procure information respecting an important branch of the police, which will be of great use in controlling or enforcing any reforms or changes in the department.

No. 3, of 1840.

Enquiries to be made regarding the Chowkeydars.

Precautions to be observed when making enquiries.

*Regulation XX. of 1817, Section 21. Village Watchmen.*

*XXI. First.* It shall be the duty of the Darogahs of Police, under the guidance and instruction of the Magistrate, to prepare and keep up at their thannahs a complete register of the Village Watchmen, employed within the limits of the authority of the said Darogahs respectively, drawn out after the form, No. 6, of the Appendix: and upon the death or removal of any of the Watchmen, the landholders and other persons, to whom the right of nomination to such vacancies shall belong, shall send the names of the persons, whom they may appoint, to the Darogah of the jurisdiction, that they may be registered by him as above directed.

*Second.* The Village Watchmen are declared subject to the orders of the Police Darogahs.

*Third.* Village Watchmen, who may reside within one coss of the thannah Station, to which they may be subject, shall report daily to the thannah all occurrences connected with the Police, which may have happened in their respective villages, during the preceding twenty-four hours: Village Watchmen, residing from one to three coss distant from the thannah, shall furnish similar reports, twice every week; and all other Watchmen, whose residence may be situated at a greater distance, shall report once in every week, or fortnight, as they may be specially instructed by the Police Darogah so to do.

*Fourth.* All occurrences reported by the Village Watchmen, shall be recorded by the Mohurrirs in the thannah diaries; but it shall not be considered necessary to enter in such diaries the reports of Watchmen, who have no communications to make further than that the peace of their divisions has been undisturbed since their last report.

*Fifth.* The Village Watchmen shall apprehend and send to the Darogah, or other Police officer presiding at a thannah, any person who may be taken in the act of committing murder,

Regn. XX. of 1817.

Darogahs shall keep a complete list of village watchmen.

Zemindars or other authorized persons to nominate a successor on the occurrence of a vacancy.

Village watchmen subject to Police Darogahs.

Rule for the delivery of reports of watchmen, residing at a certain distance from the thannahs.

Occurrences reported by the village watchmen to be entered in thannah diaries.

Proclaimed offenders and those taken in the commission of

No. 3, of 1840.

Regn. XX. of 1817.

public offences, shall be sent to the thannah by the village watchmen, who shall give the earliest intelligence of the residence of offenders and commission of crimes.

Rule for receiving the reports of village watchmen.

Supervision to be exercised by the Darogah.

Penalty upon proof of negligence or abuse.

Watchmen not to be employed on Darogahs' private concerns.

In places where regular Police establishments may be stationed, duties of watching by whom to be performed.

The village watchmen to resist robbers to the utmost of their power; and to require Zemindars and headmen to lend their assistance in the pursuit and apprehension of criminals.

robbery, house-breaking, or theft; also proclaimed offenders, and persons against whom a hue and cry shall have been raised of their having been concerned in a recent criminal offence. It shall further be the special duty of the Village Watchmen to convey to the thannah immediate intelligence of any robbers, who may have concealed themselves in their respective villages or in the adjacent country; and also of any vagrants, or other persons who may be lurking about the country without any ostensible means of subsistence, and who cannot give a satisfactory account of themselves. It shall likewise be the business of the Village Watchmen to convey early intimation to the thannah of all murders, robberies, burglaries, thefts, violent affrays, and other heinous offences, perpetrated in the villages or places in which they may be stationed.

*Sixth.* The report of the Village Watchmen to the Police officers of the regular establishments shall be made verbally; and they shall not, unless they appear as prosecutors, be sworn to their depositions at the thannahs, or be detained at the thannahs, or sent into the Magistrate's court, unless on account of misconduct, or under the special orders of the Magistrate.

*Seventh.* Darogahs of Police shall invariably ascertain and report, when making inquiries on the occasion of any robbery, burglary, or theft, the conduct of the Village Watchmen; and whether they were present at their posts when the offence was perpetrated; if not, the cause of their absence, and whether there may be reason to believe, that they were themselves concerned in, or connived at, the commission of the crime. In the event of any neglect or suspicion of criminality attaching to a Village Watchman, the Darogah shall either send the individual to the Magistrate, with a separate report of the grounds of the charge exhibited against him, and evidence to establish the same, or shall forward a report in the first instance, and wait the instructions of the Magistrate, as the nature of the alleged offence may dictate. In the event of any gross neglect or misconduct in the discharge of his duty, as a Police officer, being established against a Village Watchman, he shall be liable to dismissal from his station, by order of the Magistrate, independently of any punishment, to which he may be subject, for specific acts of criminality, under the laws and regulations in force.

*Eighth.* The Darogahs or their Police officers are prohibited, under penalty of dismissal from office, from employing the Village Watchmen on their private concerns, or on any duties unconnected with the Police.

*Ninth.* In those towns and villages, where the Darogahs of the mofussil police jurisdiction, or the officers of out-posts may be stationed, the duties of watching and patrolling shall be performed conjointly by the regular Police officers and the Village Watchmen; and private watchmen, entertained by individuals for guarding their habitations, shops, or warehouses, shall also afford their assistance, and be considered subject, in the performance of this duty, to the orders of the Police Darogahs of the station.

*Tenth.* On the occurrence of a gang or highway robbery, or any robbery by open violence, murder, burglary or theft, attended with wounding, or any other heinous offence, attended with a violent breach of the peace, the Village Watchmen shall, to the utmost of their ability, resist and endeavour to apprehend the offenders, and shall require the headmen of the village to collect the inhabitants, and to oppose and seize the criminals, or to pursue them, if they have fled; and it shall be incumbent on the inhabitants of the villages, through which, or near to which, the pursuit may lie, to afford, on the requisition of the Village Watchmen or other Police officer every practicable assistance towards the apprehension of the robbers or other offenders; and recovery of any property stolen or plundered by them;



continuing the pursuit from village to village. Any headman or watchman of a village, who may be convicted before the local Magistrate of wilful inattention to such requisition, shall be liable to fine and imprisonment, not exceeding the limitation prescribed by Section 19, Regulation IX. of 1807.

No. 3, of 1840.

Penalty for their refusal.

## FORM No. 6.

*Register of Village Watchmen and alphabetical list of Villages.*

| Names of Villages. | Distance and direction from the Thannah station. | Names of the Proprietors and Managers, and situated in what Pergunnah? | Names of the Chowkeydars or Watchmen attached to each village. | Estimated number of houses in each village. | Remarks. |
|--------------------|--------------------------------------------------|------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------|----------|
|                    |                                                  |                                                                        |                                                                |                                             |          |

**No. LXVIII.**

## TO ALL MAGISTRATES.

No. 4.—Dated Fort William, 17th February, 1840.

No. 4, of 1840.

I HAVE the honor to send you copy of a letter from Mr. Secretary Halliday, No. 229 of the 6th instant, with its enclosures, and to request that you will take particular care to see that in the Government Khass Mehals the same Police Rules are obeyed by the Tehsildars and village officers as are in force according to the law in private zemindarees.

Police duties in Khass Mehals.

See C. O. Supt. of Police, L. P. No. 11 of 28th June, 1841.

2. In case of this not being done, you will immediately report to me the instances of neglect, that I may take measures to have the same remedied, but the transmission of the report is not to cause you to postpone the issue of any orders which you are authorized by law to pass.

No. 4, of 1840.

*From F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, to W. DAMPIER, Esq. Officiating Superintendent of Police, in the Lower Provinces, No. 229, dated 6th February, 1840.*

I am directed by the Hon'ble the Deputy Governor of Bengal to return the enclosures of Mr. Smith's letter, No. 1342 of the 21st December last, regarding the absence of any police arrangements in the Government Khass Mehals, and to transmit for your information, copy of a letter and of its annexation, from the Secretary to the Sudder Board of Revenue, dated the 29th ultimo.

*From E. CURRIE, Esq. Secretary to the Sudder Board of Revenue, to F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, No. 48, dated 29th February, 1840.*

I am directed by the Sudder Board of Revenue to acknowledge the receipt of your letter, No. 19 of the 7th instant, regarding the alleged absence of police arrangements in Government Khass Mehals, and to request that you will inform the Hon'ble the Deputy Governor that they have this day issued a Circular to all Commissioners of Revenue, of which copy is annexed.

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CIRCULAR.

*From E. CURRIE, Esq. Secretary Sudder Board of Revenue, to all Commissioners of Revenue, No. 2, dated 29th January, 1840.*

Provision to be made for the performance of the duties of the Zemindaree Police on the purchase of estates by Govt.

It having been brought to the notice of the Sudder Board of Revenue that on the purchase of estates by Government, the zemindaree police is frequently neglected; and that the duties performed by zemindars generally, in giving notice of offences and aiding the police in the apprehension of offenders, &c. are not duly discharged by the officers of Government entrusted with the management and collection of such estates;—I am directed by the Board to request, that, with the view to prevent the like neglect in future, you will issue particular instructions to the collectors and other officers entrusted with the charge of Government Khass Mehals in your division pointing out, that on the occasion of such purchase on the part of Government in future, it will be incumbent on them to see that adequate provision is made for the performance of the duties referred to, and that subordinate officers are kept up for the purpose.

2. You are requested to take immediate steps to place these matters on an efficient footing in every Khass Mehal already the property of Government, in all the districts of your division.

*Circular Order, Sudder Board of Revenue, No. 515, dated 29th January, 1840.*

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## No. LXIX.

## TO ALL MAGISTRATES.

No. 5.—Dated 24th February, 1840.

No. 5, of 1840.

OPSERVING that the Darogahs of some zillahs are in the habit of transmitting their thannah reports to this office through\* the Magistrate of the district, I have the honor to request, that you will issue orders for the discontinuance of the practice, should it prevail in your district, enjoining your Darogahs invariably to forward the return in question direct to this office.

Darogahs to send their thannah report direct to the Supt. of Police.

\* See C. O. No. XI.  
See also C. O. Supt. of Police, L. P. Nos. 13 and 23 of 1843.

*Regulation XX. of 1817, Section IX. Clauses 12 and 4 to 11.*

*Twelfth.* A monthly report of crimes and offences agreeably to the form No. 4 of the Appendix, shall be transmitted by the Police Darogahs, from each Police Thannah, to the office of the Superintendent of Police for the division, on or before the 5th of the ensuing month.

Regn. XX. 1817.  
Thannah reports to be sent to Supt. of Police by Darogahs.

## FORM NO. 4.

*Statement of crimes of a heinous nature, ascertained to have been committed or attempted within the limits of the Thannah of ——— during the month of ———.*

| No. | Crimes.                                                                                                                | Com-<br>mitted. | At-<br>tempted. | Number<br>of<br>offenders<br>con-<br>cerned. | Number<br>appre-<br>hended. | Remarks. |
|-----|------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------|----------------------------------------------|-----------------------------|----------|
| 1   | Dacoity attended with murder,.....                                                                                     |                 |                 |                                              |                             |          |
| 2   | Ditto ditto wounding, .....                                                                                            |                 |                 |                                              |                             |          |
| 3   | Simple dacoity, .....                                                                                                  |                 |                 |                                              |                             |          |
| 4   | River dacoity, .....                                                                                                   |                 |                 |                                              |                             |          |
| 5   | Wilful murder, .....                                                                                                   |                 |                 |                                              |                             |          |
| 6   | Maihem, or malicious wounding, ...                                                                                     |                 |                 |                                              |                             |          |
| 7   | Highway robbery by footpads, at-<br>tended with murder, wounding,<br>or other circumstances of aggra-<br>vation, ..... |                 |                 |                                              |                             |          |
| 8   | Simple highway robbery by footpads,                                                                                    |                 |                 |                                              |                             |          |
| 9   | Highway robbery by horsemen, ...                                                                                       |                 |                 |                                              |                             |          |
| 10  | Cattle-stealing, .....                                                                                                 |                 |                 |                                              |                             |          |
| 11  | Homicide, .....                                                                                                        |                 |                 |                                              |                             |          |
| 12  | Affrays and riots of a serious nature,                                                                                 |                 |                 |                                              |                             |          |
| 13  | Burglary, attended with murder or<br>wounding, or other circumstances<br>of aggravation, .....                         |                 |                 |                                              |                             |          |
| 14  | Simple burglary, .....                                                                                                 |                 |                 |                                              |                             |          |
| 15  | Thefts, exceeding 10 Rs. ....                                                                                          |                 |                 |                                              |                             |          |
| 16  | Ditto, under 10 Rs. ....                                                                                               |                 |                 |                                              |                             |          |
| 17  | Thangce Daree, .....                                                                                                   |                 |                 |                                              |                             |          |
| 18  | Arson, .....                                                                                                           |                 |                 |                                              |                             |          |
| 19  | Counterfeiting coin, or uttering base<br>coin, .....                                                                   |                 |                 |                                              |                             |          |
| 20  | Suicide, .....                                                                                                         |                 |                 |                                              |                             |          |

No. 5, of 1840.

Regn. XX, of 1817.

N. B.—The number of accidental deaths, whether occasioned by falling into rivers, lakes, or wells; by wild beasts, venomous animals, or other causes; also any considerable mortality, whether proceeding from famine or other cause; and any extraordinary event which may be brought to the knowledge of the Police officers during the month, shall be noticed at the foot of the statement.

### *Rules for preparing the Statement.*

Rules for preparing the abstract monthly statements.

Wilful murder to be particularly distinguished.

Rules for the classification of homicide, not wilful.

Malicious wounding or injuring simply, how to be classed.

Affrays attended with wounding or killing, or violent breach of the public peace, how to be classed.

Drunken broils and assault not to be included.

All cases of entering or breaking into, at any time, or by any means, houses, boats, &c. with intent to rob, how to be classed.

Receiving stolen property how to be classed.

Arson ditto.  
Accidental fires not to be included.

Suicide how to be entered.

All heinous offences to be reported, though the offenders be not discovered.

Unsuccessful attempts to commit offences how to be distinguished.

*Third.* In preparing the abstract monthly statements of heinous offences according to the form No. 4 of the Appendix, the Darogahs shall pay strict attention to the following rules.

*Fourth.* The Darogahs shall, as far as may be in their power, distinguish wilful and malicious murder (*kuthi-umd*) from every other species of homicide, reporting all cases of murder, not accompanied with robbery or burglary under the 5th head, and cases of homicide of every other description, excepting homicide in affrays, under the 11th head of the statement.

*Fifth.* Under the 6th head the Darogahs shall insert all cases of wounding, or violent corporal injury inflicted maliciously, and not in the prosecution of robbery or burglary, or during an affray.

*Sixth.* Under the 12th head of the statement, all affrays and riots shall be entered, in which any considerable number of persons may have been concerned, or in which any person may have been killed or wounded, and the public peace may have been disturbed: but it shall not be necessary to include in this column, cases of assault and battery, or drunken broils, in which only a few individuals may have disputed, and no very serious personal injury may have been sustained.

*Seventh.* Under the 13th and 14th heads of the statement, all cases shall be entered in which any person may enter, or attempt to enter by day or night, by breaking any dwelling-house, ware-house, store-house, or other building or place used for the custody and preservation of property, whether the same be constructed of stone, brick, mud, bamboo, grass, or other materials, or into a tent, boat, or other place of habitation, whether such entry be effected by cutting through or under the wall, or by forcibly raising the roof of the house, or by any other means attended with breaking, and whether in pursuance of the intent to commit such robbery, any property shall be carried away or otherwise.

*Eighth.* Under the 17th head, all cases shall be entered of receiving, vending, or concealing, or melting down stolen property.

*Ninth.* The 18th head of the statement shall include only those cases of arson, in which any habitation or other property may appear to have been purposely and maliciously fired, and the Darogah shall not include accidental fires under this head.

*Tenth.* Under the concluding or 20th head of the statement, the Darogah shall insert all cases in which the person destroyed may appear to have been the immediate and voluntary cause of his own death.

*Eleventh.* The Darogahs shall report in the statement above prescribed, all heinous offences which may come to their knowledge, whether the offenders may be apprehended or otherwise, and shall distinguish, in the third column, all attempts in which the criminal intent may have failed; inserting in the 2nd column, only those cases in which the crime may have been actually perpetrated.

*See also Circular Order of the Superintendent of Police, Lower Provinces, No. 18 of the 24th July, 1843.*



## No. LXX.

## TO ALL MAGISTRATES.

No. 6.—Dated Allipore, 4th March, 1840.

THE Zemindars in very many instances evincing the greatest neglect of the duties imposed on them by law with regard to the information of offences and the apprehension of offenders, I have the honor to request that you will acquaint me how far the provisions of Section 33, Regulation XX. of 1817, are enforced within your district, and whether it would not be advisable to have copies of that Regulation, together with those parts of Regulation IX. of 1808, VI. of 1810, I. of 1811, III. of 1812, VIII. of 1814, and others in force which affect the landholders, printed in the vernacular language and distributed throughout the district.

No. 6, of 1840.

Zemindars being neglectful of the laws prescribing their Police duties, suggestions invited for supplying them with copies of those laws in the vernaculars.

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*Regn. XX. of 1817, Sec. XXXIII. Cl. 1 to 3.*

*Rules relating generally to Landholders, Managers of Estates, &c.*

Regn. XX. of 1817.

*First.* The police Darogahs shall take every favourable opportunity, when employed on local enquiries, as well as on other occasions, of explaining to the zemindars, talookdars and other proprietors of land, malgoozaree or lakhiraj; to the sudder farmers and under-renters of land, dependent talookdars, naibs, and other local agents, and to all native officers employed in the collection of the revenues and rents of land, on the part of Government or the court of wards, the duties incumbent upon them, and the responsibility attached to them, under the provisions of Regulations 9, 1808; 6, 1810; 1, 1811; 3, 1812; 8, 1814, and any other regulations in force, to communicate to the Magistrates and police Darogahs, either publicly or secretly, all information which they may obtain, respecting the commission of murder, robbery, house-breaking, arson or theft, within the limits of the estate or farm held or managed by them respectively; or respecting the resort of any known robbers, of whatever description, or the residence of any notorious receiver or vender of stolen property, within such limits, as well as to afford their assistance in the apprehension of proclaimed offenders, and of all persons, for whose apprehension warrants may have been issued by the local Magistrate, in pursuance of Section 9, Regulation 3, 1812; and generally to co-operate with, assist and support the police officers of Government in maintaining the peace, preventing, as far as possible, affrays and other criminal acts of violence, or apprehending the offenders under the rules and restrictions which have been enacted and promulgated in the regulations.

Darogahs to inculcate upon landholders their duties, in giving information of crimes, apprehending offenders and preventing affrays.

*Second.* To enable the police Darogahs the more effectually and satisfactorily to perform the service thus required from them, the Magistrates shall be careful to furnish them with copies of, or extracts from, all regulations in force on the points above adverted to, or any other immediately connected with the aid to be given by landholders, farmers, under-tenants and managers of land, in support of an efficient police.

With this view Magistrates shall be careful to furnish Darogahs with extracts or copies of certain regulations.

No. 6, of 1840.

Zemindars entrusted with the charge of the police, to be furnished with copies of, and to obey this regulation.

*Third.* Copies of this regulation shall be furnished to all zemindars, or other landholders or managers of estates entrusted with the management of the police; and such zemindars, or other landholders, or managers shall observe the rules therein prescribed, for the conduct of the police Darogahs, as far as the same may be applicable to their duties, as chief police officers.

## No. LXXI.

TO ALL MAGISTRATES.

No. 7, of 1840.

No. 7.—Dated Allipore, 11th March, 1840.

Police officers not to take leases of lands from the zemindars.

I HAVE the honor to call your attention to a practice highly injurious to the efficiency of the police force, which has been brought to my notice, and which must be immediately checked.

2. It is found that the different grades of police officers have been in the habit of taking leases of land from the zemindars of the district on advantageous terms, of course with the understanding that their official influence was to be used in favor of the landlord giving them the land; and they thus virtually received bribes from the zemindars and others who had lands within their police jurisdiction, and of course, the proper and legitimate influence of the Magistrate over his police officers has been met and counteracted by this corrupt understanding with the land-owners.

3. I request that you will cause strict enquiries to be made regarding the existence of such a practice in your district and remove from his situation any police officer, who may have been engaged in such transactions, to another thannah; and in future, you will consider any act of this kind as tantamount to an act of corruption, and remove the person guilty of it altogether from the police force.

Native officers, judicial, ministerial or police, to be required to file schedules of their landed property and future acquisitions on pain of dismissal from office.

\* Required from all native officers on the 1st January of every year. *C. O. S. D. A. No. 27 of the 25th July, 1811.*

Para. 2nd. In future on the appointment of any native officer on your establishment, whether the situation to which he may be nominated be of a judicial or ministerial nature, or connected with the Police Department, you will require from him a schedule\* of any landed property of which he may at the time be possessed, and at the same time explain to him that should he subsequently make further acquisitions of the same description, it will be incumbent on him to communicate the circumstance to you within one month from the date of acquisition; should he fail to do so, or should it appear that he wilfully omitted in his schedule any landed property belonging to him at the time of filing it, he will be liable to dismissal from office.—*Circular Order, Nizamut Adawlut, No. 163, dated 27th February, 1835.*

The schedule mentioned in the Circular quoted above "need not be required from any native officer who receives a salary of less than twenty rupees per mensem."—*Circular Order, Nizamut Adawlut, No. 166, dated 4th September, 1835.*

Para. 1. The schedule shall include not only land, the proprietary right of which may be vested in the public officer to whom it may relate, but any land or other real property, whatever may be the nature of the tenure by which he may hold it, the description of tenure being also recorded in the schedule.

2. The schedule will be registered in the office to which the individual giving it may be subordinate; and copies will be sent to the collectors in whose districts the property specified may be situated.—*Circular Order, Nizamut Adawlut, No. 170, dated 3rd July, 1835.*

Para. 75. We have repeatedly informed you, that we cannot sanction any departure from the established rule, that no officer in our service can be permitted to hold lands in any district in which he exercises civil authority.—*Despatch of the Hon'ble the Court of Directors, No. 1, dated the 15th January, 1845. Circular Order, Sudder Nizamut Adawlut, No. 202 of 1845.*

Para. 53. We direct the invariable observance of the rule of the service, that no officer holding civil authority in a district shall, directly or indirectly, be a holder of land, or be concerned in any description of speculation therein.\*—*Despatch of the Hon'ble the Court of Directors, No. 2 of the 23rd February, 1842.*

Para. 2. The rule prescribed in the\* despatch cited, has not been hitherto enforced in the Judicial Department, and it might be deemed a measure of unnecessary severity to give it generally retrospective effect, without enquiring as to the circumstances, character, and conduct of the parties, who might be affected thereby. With regard therefore to present incumbents in judicial office, who are already in possession of landed property, whether patrimonial, purchased, or otherwise acquired, it is not the desire or intention of the Court to exercise any interference, except where the extent of the property may be so considerable as to give the possessor a preponderating local influence, and induce him, for the protection of his own best interests, to engage in undertakings, and become a party to speculations and transanctions, which may divert his attention from his official duties, and at the same time, incapacitate him for their impartial and unbiassed fulfilment. In such cases, where the inconvenience and injury may be patent to common observation, it will be the duty of the civil judges to report the circumstances for the information of the Court, and for eventual submission for the orders of Government, in regard to those functionaries, who are not subject to removal from office without the sanction of Government.

3. Further, as regards present incumbents, the Court are pleased, with the sanction of Government, to direct that the spirit of the rule prescribed by the Hon'ble the Court of Directors shall be observed, and that the future acquisition by those parties, of landed property, by purchase, or other means, such as farm, gift or mortgage, and speculations of every description therein, within the limits of the district to which such parties, whether *Principal Sudder Ameens, Sudder Ameens, or Moonsiffs*, may belong, shall be considered interdicted. It will be incumbent on the civil judges to bring to the notice of the court any contravention of this restrictive rule, which may come to their knowledge.

4. In future, as a general rule, individuals possessing landed property, whether patrimonial, purchased, or other; or being engaged in speculations therein, will be considered ineligible for

No. 7, of 1840.

The schedule not required from officers receiving less than 20 Rs. per mensem.

The schedule to include all land, under whatever tenure.

See C. O. S. D. A. Nos. 27 and 28 of 1811.

In what offices the schedules are to be registered.

Police officers cannot hold lands in their own districts.

Foregoing rule to be observed.

Judicial officers prohibited from holding lands in their own districts. Present incumbents excepted under certain circumstances, and rule prescribed regarding those who have landed property, or are engaged in speculations in the district to which they are nominated.



No. 7, of 1840.

appointment to judicial office, within the limits of the district in which the said property may be situated; but the civil judges need not be thereby deterred from nominating such persons, whenever the extent of land may be so small as, in their estimation, to render the circumstance no objection to their employment in the district to which it appertains, a discretionary power to this extent having been reserved to the Sudder Dewanny Adawlut in such cases.

5. It will not be difficult to check any contravention of the rules herein before prescribed

C. O. S. D. A. No. 135 dated 27th February, 1835.

C. O. S. D. A. No. 144 dated 4th September, 1835.

C. O. S. D. A. No. 148 dated 3rd July, 1835.

by enforcing obedience to the instructions contained in the Circular Orders enumerated in the margin.—*Circular Order, Sudder Dewanny*

*Adawlut, No. 93 of the 5th September, 1845.*

## No. LXXII.

TO ALL MAGISTRATES:

No. 8, of 1840.

No. 8.—Dated 12th March, 1840.

Police officers not to be fined for mere neglect of duty.

CASES having been brought to my notice in which police officers have been punished by Magistrates with fine and imprisonment under the powers vested in them by Section 19, Regulation IX. of 1807, without any “distinct misdemeanour beyond neglect of duty” having been established against them, I have the honor to direct, that you will avoid any such practice, and beg particularly to refer you to the letter\* of the Nizamut Adawlut dated March the 15th, 1816, to the address of the Superintendent of Police, Western Provinces, included in No. 244 of the 1st volume of the Book of Constructions, page 82.

\* See C. O. No. LXXX.

Regn. IX. of 1807.

*Regulation IX. of 1807, Section XIX.*

Powers vested in the Magistrates for imprisonment, corporal punishment and imposition of fines.

XIX. In addition to the powers vested in the zillah and city Magistrates, by Sections 8 and 9, Regulation IX. of 1793, (extended to Benares by Section 4, Regulation XVI. 1795,) and by Sections 8 and 9, Regulation VI. 1803, they are hereby further empowered, in all cases of conviction before them, of any criminal offence punishable under the Mahomedan law and the regulations, for which the penalties authorized by the sections above quoted may appear insufficient, or to which the rules referred to may not be expressly applicable, and for which a more severe punishment than six months' imprisonment, with thirty rattans, or a fine of two hundred rupees, may not have been specifically prescribed, (in which case the prisoner, if there appear grounds for it, must be brought to trial before the Court of Circuit,) to pass sentence of imprisonment not exceeding six months, with corporal punishment not exceeding thirty rattans in cases of theft, or in other cases with a fine not exceeding two hundred rupees, commutable, if not paid, to a further period of imprisonment, not exceeding six

See Act III. of 1844, for legalizing corporal punishment in certain cases.



months, in pursuance of Section 3, Regulation XIV. 1797, and Section 31, Regulation VI. 1803, so that the entire period of imprisonment, under the sentence of a Magistrate, shall, in no instance, exceed one year.

No. 8, of 1840.

 See Circular Order Superintendent of Police, Lower Provinces, No. 16, of the 30th July, 1840.

## No. LXXIII.

TO ALL MAGISTRATES.

No. 9.—Dated Alipore, 24th April, 1840.

No. 9, of 1840.

I AM directed by the Right Hon'ble the Governor of Bengal to prepare a return shewing how many dacoities are supposed to have been perpetrated in the Lower Provinces during the last ten years by Buddocks or other gangs from the Oude territories, and I request that you will furnish me within fourteen days from the receipt of this with the necessary statement for your district, remarking the reasons in each case which induce you to consider the crime as having been committed by persons from Oude.

Dacoities by whom probably committed.

2. I must remark that you may generally consider these gangs to have been employed where the attack has been made by a body of armed men, early in the evening, cutting down all who opposed them, plundering only cash or jewels easily portable and dispersing immediately afterwards, leaving no trace by which to follow them, as after the perpetration of a dacoity under such circumstances the gang will move from thirty to fifty miles before morning. It is probable that many dacoities of this kind committed in former years may not have been attributed to these gangs, and I mention these circumstances because you may safely suppose such to have been perpetrated by professional robbers from Oude.

## No. LXXIV.

TO ALL MAGISTRATES.

No. 10.—Dated 29th April, 1840.

No. 10, of 1840.

I AM directed to point out to you, that no suits to procure the forfeiture of lands to Government under Regulation XLIX. of 1793,\* are to be instituted by any Magistrate unless the sanction of this office is previously obtained.

Magistrates not to institute suits for forfeiture of lands under Regn. XLIX. of 1793, without sanction of Supt. of Police.

\* This Regulation is repealed by Act IV. of 1840.

## No. LXXV.

TO ALL MAGISTRATES.

No. 11, of 1840.

No. 11.—Dated 27th May, 1840.

Necessity of making Police reports early.

THE near approach of the close of the first six months of 1840, renders it necessary that I should remind you of the necessity for sending in to me as soon after the close of June as practicable, the periodical reports and statements for that period as per list hereto subjoined. If you will commence upon the preparation of these statements immediately upon the receipt of this letter there could be no difficulty I think in your providing me with the materials for my six-monthly report before the end of July, and in that case I should be able to submit my proceedings to the Government shortly after the commencement of August.

2. It is of the greatest importance that all police reports from this office should be laid before the Government as early as practicable after the conclusion of the period which they embrace, otherwise all the improvements which they may suggest, or the evils they point out, may be liable to be passed over without due notice or eventually laid aside. The efficient state of this, and the subordinate departments, must be tested by the facility and celerity with which the results of the management of the police are laid before the superior authorities, and I shall judge much of the condition of your office, by the mode in which you comply with the requisition of this letter, whilst I shall take measures to have due preparation made in my office for the papers to be brought up, district by district, before me as they arrive, so that I shall be sure to mark those Magistrates whose delay in the transmission of their returns will delay the preparation of that required from me.

No. 18.—Half yearly abstract of crimes.

No. 18.—Supplement to foregoing.

No. 19.—Half yearly list of persons proclaimed.

No. 20.—Half yearly comparative statement of crimes.

No. 1.—Register of convicts who have broken Jail, &c. as required by Regulation III. of 1812.

No. 2.—Register of persons proclaimed under the provisions of Regulation IX. of 1808.

No. 3.—Register of persons charged with or suspected of the commission of specific crimes of a heinous nature, who may have eluded the pursuit of justice.

Report of dismissal and appointment of police officers, according to the form furnished by Circular, No. 1 of 1839. No. 11, of 1840.

Report of dismissal and appointment of ministerial officers, according to ditto.

Report of the covenanted Civil servants employed in the zillah, according to the form sent with Circular, No. 23 of 1838.

Figured statement of the number of convicts who have escaped from confinement, according to the form sent with Circular, No. 28 of 1838.

Roobocaries of commitment and acquittal, as required by Circular, No. 36 of 1838.

Futwahs of law officers and verdicts of jurors and assessors, as required by Circular, No. 6 of 1839.

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## No. LXXVI.

TO ALL SESSIONS JUDGES.

No. 12.—Dated Allipore, the 27th May, 1840.

No. 12, of 1840.

**R**EQUIRING the early submission of the statement called for by Circular Order No. 37 of 1838. (*Abstract*).

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## No. LXXVII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 13.—Dated 1st June, 1840.

No. 13, of 1840.

**R**EGARDING the necessity of the oaths of justice of the peace being taken before an officer, who is himself a qualified justice of the peace. (*Abstract*).

Act XVI. of 1841, Section 1, allows the oaths of justice of the peace to be taken by persons, whose names are in the commission, in any civil or criminal court of justice within the provinces, to qualify as Justices of the peace.

*See Circular Order Superintendent of Police, Lower Provinces, No. 11 of the 11th August, 1845.*

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**No. LXXVIII.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 14, of 1840.

No. 14.—Dated, “on the river,” the 24th June, 1840.

**R**EQUESTING them “to furnish the Military Board with quarterly statements of the balance of Ferry Funds in their respective treasuries, available for public purposes.” (*Abstract*).

*These quarterly statements for the Military Board have been discontinued under Circular Order, Superintendent of Police, Lower Provinces, No. 2 of the 29th April, 1847. quod vide.*

**No. LXXIX.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 15, of 1840.

No. 15.—Dated 24th June, 1840.

Police officers to give every assistance to the officers of the Thuggee Dept.

**I** HAVE the honor to bring to your notice, that the Darogahs do not generally appear to give that assistance to the officers of the Thuggee Department which they ought to do, and I request that you will issue instructions to them always to exert themselves most particularly on the receipt of descriptive rolls of Thuggs from Major Sleeman’s assistants for the purpose of their apprehension.

2. I shall consider any neglect of, or inattention to, the requisitions of the officers of the Thuggee Department as a very serious offence on the part of a police officer and rendering him liable to removal from office.

**No. LXXX.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 16, of 1840.

No. 16.—Dated, “on the river,” 30th July, 1840.

Circulating a register of police officers who have been dismissed.

**I** HAVE the honor to transmit for your information copy of a register prepared in this office under my particular inspection and control, of police officers, who have been dismissed for offences, which would seem to render them unfit for future employment without great attention on the part of the local Magistrates to the circumstances under which they may consider them qualified for a further trial.

See C. O. Supt. of Police L. P. No. 8 of the 12th March, 1840, No. LXXII.



2. You will understand that the circulation of this register is not intended as a declaration on my part of any of the persons whose names are entered in it being incapable of again serving Government in any given capacity, but it is forwarded merely to place the local Magistrates in possession of information, which as head of the police, I have collected from the records of the whole force, and thus enabling all of you to exercise a sound discretion in recommending the re-nomination of any of these persons, who have hitherto proved themselves unfit for their places, as officers in the police within your district.

3. I take this opportunity of stating to you, that excepting for offences of a serious nature or continued acts of neglect, inefficiency and misconduct, I am averse to dismissal from office as a punishment in the police. The greatest bane to the force at present, and the bar to entry into it by respectable men, is the extreme uncertainty of the tenure of office and the degradation to which the officers have been in too many instances subjected by dismissal, heavy pecuniary fines and imprisonment in cases, which really did not call for such severe measures. The first step to restore to the police some degree of self respect is to abstain from all punishments which degrade the feelings of those punished, without producing any good effect on their fellow-officers. Dismissal has been so common, that the Magistrates have almost ceased to consider it as forming any kind of disqualification for future employment. It has lost its effect as a punishment or example, and, beyond a temporary degradation, injurious to the morals of those dismissed, is not held in terror by those holding offices in the police.

4. I wish therefore that each Magistrate should himself keep a Register according to the annexed form, inserting therein the minor punishments he may have occasion to impose on his police officers. These should be reprimands, fines under Clause 5, Section 5, Regulation VIII. of 1809, and temporary deprivation of office not exceeding six months. If it appears that a repetition of these minor punishments is insufficient to produce activity, regularity, or a proper attention to their duties on the part of any officers, dismissal must then take place and the papers of the case in which this last punishment is ordered, must invariably be sent to this office together with an extract from the Register, shewing to what punishments and for what offences the dismissed officer has been previously subjected.

5. I must remark, that in all cases where punishments are imposed on a police officer, the reasons for them and the mode of conduct he should in similar cases adopt in future, ought to be pointed out to him in plain but

No. 16, of 1840.

Object for which the register is circulated.

Police officers should not be dismissed on light grounds.

See C. O. Supt. of Police, L. P. No. 3 of the 20th March, 1845.

Register to be kept of minor punishments imposed on police officers.

Dismissal to be resorted to, when minor punishments are ineffectual.

Where punishments are imposed, the reasons to be stated to the police officer.

No. 16, of 1840.

Reasons to be given when selecting dismissed officers for employment.

courteous terms. Of course cases will occur where immediate dismissal without any intermediate punishment must follow the offence.

P. S. Should you wish to employ any one of the officers named in the list now forwarded to you, it will be necessary for you to state the reasons which lead you to select him in preference to others upon whose character there is no slur. It will frequently occur that an officer may be advantageously re-employed, but this should never be done without substantial reason being given for it.

*Register of Police officers punished.*

| Name of officer. | Rank in the Police. | Offence of which guilty and date of commission.                   | Description of punishment and date of infliction.                    | General character during his period of service.                  |
|------------------|---------------------|-------------------------------------------------------------------|----------------------------------------------------------------------|------------------------------------------------------------------|
| Shah Mahomed,    | Jemadar,            | Neglect in inquiring into a case of burglary, 15th January, 1840. | Fine of 5 rupees, 25th January, 1840.                                | Was not active and appeared wanting in judgment and sound sense. |
|                  |                     | Absent without leave, 7th June, 1840.                             | Forfeiture of half a month's pay, 10th June, 1840.                   |                                                                  |
|                  |                     | Sending in defendants without any good cause, 14th July, 1840.    | Reprimanded, and future conduct pointed out to him, 20th July, 1840. |                                                                  |

*Regulation VIII. of 1809, Section V. Clause V.*

In what instances Magistrates are authorized to order immediate suspension of, or to impose a fine on a police officer, and all officers liable to removal, when there may be reason to believe them incapable or neglectful of their duties, or in any respect unworthy of confidence.

*Fifth.*—In cases of gross misconduct, neglect, or incapacity, such as to require the immediate suspension of a police officer, the Magistrate is authorized to order the same, reporting it, with the other information required from him, to the Court of Circuit. He may also, in addition to the general powers vested in him by the Regulations for the punishment of any specific crime or misdemeanor, fine any officer of police under his authority for neglect of duty in a sum equal to one month's salary; and cause the same to be levied by a stoppage of the fixed allowance payable to such officer. And it is hereby declared, that police officers, of every denomination, as well as all other native officers in the service of Government, will be liable to removal from the public trusts committed to them, without proof of any specific act of criminality, when there may be sufficient reason to believe them incapable, or neglectful of their prescribed duties, or in any respect unworthy of public confidence.

*Extract of a letter from the Acting Superintendent of Police, Western Provinces, under date the 18th January, 1816.*

4. As repeated instances have of late occurred of the inferior officers of police deserting their posts in time of need, it appears extremely desirable that the specific

penalties prescribed for this offence, whether proceeding from neglect or cowardice, should be fully defined, that the conditions attaching to the service may be clearly explained and understood. I request therefore to be favored, for my information and guidance, with the construction of the Court, (founded, not upon the merits of this individual case, but upon the question generally,) whether, with reference to the opinion given by the law officer of the Bareilly Court of Circuit, as submitted with my letter of the 5th June last, desertion, wilful neglect or disobedience on the part of a *burkendaz* or *sowar* entertained at the expense of Government for the purposes of police, is, or is not punishable by the Magistrates under the provision of Section 19, Regulation IX. 1807; and if not, I request to be favoured with the opinion of the Court regarding the extent of punishment to which an inferior police officer is liable under the regulations, on conviction of the species of misconduct above particularized.

No. 16, of 1840.

*To the Acting Superintendent of Police, Western Provinces, in reply to the above,*  
dated the 15th March, 1816.

The Court of Nizamut Adawlut have again had before them, your letter of the 18th January last, and with reference to the 4th paragraph, desire me to communicate to you the following observations upon the questions therein contained.

By the fifth clause of Section 5, Regulation VIII. 1809, a specific provision is made for the punishment of neglect of duty by officers of police. The Court are of opinion therefore, that in cases of this description, the Magistrate is restricted to the limitation of punishment therein defined; but that if any distinct misdemeanor beyond neglect of duty should be established, the case would, of course, fall within the Magistrate's discretion, under the general powers vested in him, by Section\* 19, Regulation IX. 1807. *Construction, No. 244 of the 15th March, 1816.*

\* See page 64.

## No. LXXXI.

### TO ALL MAGISTRATES, AND JOINT MAGISTRATES.

No. 17.—Dated 11th August, 1840.

No. 17, of 1840.

I AM directed by the Right Hon'ble the Governor of Bengal to instruct you, immediately to credit Government with the amount of the thannah funds now in deposit with you, and to direct, that when any repairs are required in future to be made to your thannahs, you will apply to this office to sanction the expense, which will be charged in your contingent bill under the guarantee of my signature.

Application to be made to Supt. of Police for repairs of thannahs, all regular allowance for the purpose to cease.

See No. XXXIX.

2. Under these orders you will of course cease to draw any regular allowance for the repair of your thannahs.

*See C. O. Supdt. of Pol., L. P. No. 6 of 12th March, 1841, and No. 13 of 30th August, 1842, para. 3.*

**No. LXXXII.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 18, of 1840.

No. 18.—Dated 25th August, 1840.

Persons past the prime of life not to be admitted into the police.

**I** HAVE to call your attention to the inadvisability of admitting into the police force, persons who may be past the prime of life. Such admissions should only be made where some peculiar advantage is to be found from the employment of the individual nominated.

**No. LXXXIII.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 19, of 1840.

No. 19.—Dated 31st August, 1840.

Relationship of police officers to amlah and others to be reported.

**I** HAVE the honor to request that you will furnish me, within ten days from the receipt of this letter, with a list shewing the names of the police officers employed in your district, who are related to, or connected with the sudder amlah, and the degree of relationship or connection in which they stand to each other.

2. I also request that in future, when sending up the nomination of a police officer for approval, you will state whether he is related to, or connected in any way with the amlah of your court or of the sessions judge.

**No. LXXXIV.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 20, of 1840.

No. 20.—Dated Patna, 9th September, 1840.

Information called for regarding the system of impounding stray cattle.

**I** HAVE the honor to call your attention to paras. 1051 to 1069 inclusive (annexed) of my predecessor's general police report for the second six months of 1838, regarding the present system of impounding stray cattle and levying fines from their owners, and proposing a plan for future adoption in such cases, and to request that you will favour me with your distinct opinion as to the extent of the evil therein noticed, and of the kind of remedy required.



2nd. You will also endeavour to ascertain the ideas of the planters, zemindars, and generally of the agricultural community upon this subject, and notice these in your reply to this communication, which I shall expect to receive by the end of December next.

No. 20, of 1840.

*Extract from the Police Report of the Lower Provinces, for the 2nd six months of 1838.*

Para. 1051. In all agricultural countries it has been found necessary by the cultivators of the soil to protect their crops from the trespass of cattle. In England, which is generally an enclosed country, a common pound is attached to every lordship or village, or ought to be so by law, the oversight whereof is to be by the constable or steward of the lect. The process of distress is entrusted to the tenant in possession of the field, or the owner of the crop in which the trespassing cattle is found damage *faisant*. It is described as the taking of a personal chattel out of the possession of the wrong doer, in the custody of the person who is injured, to procure a satisfaction for the wrong committed. The process is of two kinds, for cattle for trespassing and doing damage, or for non-payment of rent. In India where British legislation is still in its infancy, laws sufficiently stringent have been enacted to enable the landholders and others to recover by distress the rents due to them, the revehue of Government depending, in a measure, on the efficiency of the law of distraint; but hitherto no law has been enacted to protect the agricultural interests from the damage to which they are rendered liable by the trespass of cattle into cultivated fields generally unprotected by fences.

Fines on stray cattle.

1052. The people, however, were not disposed to remain quiescent observers of the devastations committed on their crops by stray cattle; numberless affrays which have disgraced our police statement from the commencement of our Government, may be traced to this feeling; they took the remedy into their own hands by driving away and impounding the trespassing cattle, and levying fines on the owners whenever they possessed the power, and in so doing they merely assumed the inherent right which all possess to protect themselves and property when the Government of the country cannot or will not do it for them; when they met with resistance, the distraint was converted into a bloody affray, and the Magistrates soon found it necessary, in order to keep the peace, to interfere, hence the universal adoption of a plan in every district in Bengal, Behar and Orissa, whereby the Darogahs of thannahs have been authorized to levy fines on the owners of trespassing cattle, on proof of damage having been done by them.

1053. The system which has obtained is as follows:

Whenever a person finds stray cattle grazing in his fields, he drives them to the thannah. On their arrival, the Darogah takes evidence as to the amount and value of the damage, and if proved, he levies a fine, and the cattle are not restored to their owner until the fine be paid. The fines which are levied, after deducting the expences of the pounding, are sent to the Magistrate and carried to the account of Government.

No. 20, of 1840.

It will be observed that the system is entirely penal, and the persons who have suffered damage, can only obtain compensation for the injury which their crops have suffered, by a long, tiresome, and expensive regular suit in the zillah Dewanny Adawlut.

\* Buffalo and horse 8 annas.  
Calves and colts 4 ditto.  
Sheep and goats 2 ditto.

1054. The amount of fines in different districts differ; the average rate is noted in the margin.\*

1055. The checks to prevent extortion on the part of the Darogahs are pronounced to be generally inefficient by the local authorities. The usual system, when a fine has been imposed, is for the Darogahs to send a report of the case to the Magistrate, and at the end of the month, an account current which is checked by an examination of the registers kept by the Sherishtadar, the Nazir and the Treasurer, compiled from the Darogahs reports, but all the Magistrates unite in considering the checks on the mofussil authorities to be imperfect, if not nugatory. Mr. Battye, the Joint Magistrate at Monghyr states, that no checks exist to restrain the Darogahs, "the system is only sanctioned by the common consent of the people," and he avows himself "to be quite at a loss to propose a remedy to prevent extortion." Mr. Plowden the Acting Magistrate of Sylhet, writes, that "checks upon extortion depend upon the people preferring complaints when they have cause—they must be imperfect at the best. If a Darogah is dishonest enough to pocket the fines and make no report, I am not aware in what manner he can be controlled."

1056. I therefore am of opinion, that the checks which have been devised to restrain the cupidity of the Darogahs of the police are inefficient; but that the checks at the Sudder Stations on the Magistrates Omlah are equal to the advantages expected from them.

1057. I am afraid we cannot expect much assistance from the people to prevent the embezzlement of the fines. Their object is obtained when the person whose cattle damaged their corn has been fined, and they care not what becomes of the amount levied, as they receive no share of it. In proof of this, it is stated by Mr. Metcalfe the Acting Magistrate of Backergunge, that no Darogah has ever been convicted of extortion or embezzlement in this particular part of his duty.

1058. Opinions differ as to the advantages of the system at present in force. All the authorities appear to consider some protection from carelessness or enmity of cattle owners, to be due to the agricultural interests; common sense indeed shews the necessity of it, and experience has proved, that whether laws are enacted or not, the people will have protection, legally if possible, but if not legally, by other means.

1059. There can be no doubt of the illegality of the present system, the illegality of which I must observe, consists, not in the driving and pounding of the cattle found damage faisant in the fields, but in the tribunal by which the fines are imposed.

1060. By clause 1, Section 12, Regulation XX. of 1817, the Darogahs are prohibited, under pain of dismissal from office, from taking cognizance of slight trespasses; and by clause 3 of the said Section and Regulation, the Darogahs are prohibited from passing sentence upon any complaint or from imposing any fine.

1061. It will thus be found that the Magistrates have for a series of years called upon the Darogahs to perform acts, which by law they could not perform, except under penalty of dismissal from office. No. 20, of 1840.

1062. The orders of the Government and of the Nizamut Adawlut on this subject are conflicting.

1063. The Governor of Bengal on receiving a full exposition of the system in force, instructed the Commissioner of Bauleah to carry the produce of the fund to the Government account, and Mr. Secretary Mangles added, "but he (the Governor of Bengal) is of opinion, that the remainder and any further sums accruing on the same account, should be carried to the public credit until the subject shall have received the final consideration of Government." It is evident that the Regulation prohibiting this practice was not taken into consideration, or the Hon'ble the Governor would never have thus sanctioned the collection of an illegal cess, by an unlawful tribunal, till the final decision of Government should be passed on a point already adjudicated and requiring no decision.

See Mr. Secretary Mangle's letter No. 555 of 10th May, 1836, to the Commr. of Circuit at Bauleah.

1064. The Nizamut Adawlut prohibited the system in force, in one zillah, by an order issued to the Sessions Judge of Tirhoot under date the 21st September, 1838, No. 2791; but took no notice of the general adoption of the system in all the rest of the districts.

1065. As it is impossible to prevent the agricultural classes from pounding cattle found straying and damaging their crops, it will be necessary to concoct a plan, whereby they can be protected from damage, and the other classes from extortion and undue restraint of their cattle.

1066. The plan which appears to me to be the most feasible is as follows:

1st. The proprietors and others in possession of land to be authorized to seize all stray cattle found on their lands grazing, or doing any other kind of damage, and to drive them to the nearest pound.

2nd. Every Darogah of a thannah, every Ameen nominated under Act I. of 1839, or by the Judge of a district to distrain property, and every pergunnah Cazeer to keep a pound for the reception of stray cattle brought to the pound, who in addition to being repaid the expenses of feeding, &c. the cattle, shall receive half the fines to be levied on the owners of the said cattle.

3rd. They shall not release any cattle without orders from the Dewanny Adawlut, or Moonsiffs, under a heavy penalty.

4th. A table of the fines authorized to be levied, to be prepared for their guidance.

1067. Summary suits on plain paper to be brought against the owners, if known, of impounded cattle by the impounders before the Moonsiffs, who after due enquiry shall adjudge the payment of half of the specified fines to the pound-keepers, and the other half to Government, and shall award damages for the injury committed by the impounded cattle to the injured party. Where no owner is to be found, the cattle as hitherto, to be sent to the Magistrate of the district to be disposed of in the usual manner.



No. 20, of 1840.

1068. It will not be expected in this place, that all the precautions necessary to make the plan available, should be set forth. It is enough if the explanation be found sufficiently explicit to enable the legislature to prepare an Act for the purpose.

1069. The accounts of the fines deposited in the mofussil treasuries have been very imperfectly kept up. They have in some districts been mixed up with other items of collections. I have annexed in the margin the receipts, expenditure, and balance, for the 32 districts from the commencement of 1836 to the end of 1838. An abstract account current of fines levied on stray cattle will be found in the appendix marked L.

|                    |        |    |   |
|--------------------|--------|----|---|
| Receipts, .....    | 84,287 | 5  | 9 |
| Expenditure, ..... | 33,566 | 10 | 0 |
| Balance, .....     | 48,720 | 11 | 9 |

## No. LXXXV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 21, of 1840.

No. 21.—Dated 12th September, 1840.

Recalling Circular Order No. 11 of 1839.

\* No. LVIII.

I HAVE the honor to acquaint you that after a reference to the Court of Nizamut Adawlut, I have considered it necessary to recall the Circular Order issued by my predecessor, No. 11 of 1839,\* as contrary to the provisions of Clause 10, Section 16 of, and Form No. 3 of the Appendix to, Regulation XX. of 1817.

2. You will be pleased therefore in future to cease acting under those instructions.

## No. LXXXVI.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 22, of 1840.

No. 22.—Dated 22nd September, 1840.

Single-poled tents will be allowed to Magts. while on duty in the interior of districts.

I HAVE the honor to acquaint you that the Right Hon'ble the Governor of Bengal will, *as occasion may be shewn*, have no objection to sanction the purchase of single-poled tents at an expense of Co.'s Rs. 350 each, for the use of the Magistrate's office when in the interior of their districts.

*Resolution dated 8th September, 1840, No. 766.*

The Right Hon'ble the Governor of Bengal observes that a sum of Company's Rupees 650 was allowed every eight years on account purchase of a double-poled tent for the use of each district Magistrate and Collector, when those offices used to be



vested in the same individual, but that, on the separation of the offices, the tents remained in most instances attached to the office of the Collector.

No. 22, of 1840.

It appears to His Lordship necessary, however, that both Magistrates and Collectors should be provided with office accommodation, while on duty in the interior of their districts, and with this impression, the Governor will, as occasion may be shewn, have no objection to sanction the purchase of single-poled tents, at an expense of Company's Rs. 350 each, for the use of Magistrates, and also, when new ones may be required, for the use of Collectors.

*See Circular Orders, Sudder Board of Revenue, No. 51 of the 4th December, 1829, and No. 549 of the 21st October, 1840; and Superintendent of Police, Lower Provinces, No. 5 of 19th February, 1846.*

## No. LXXXVII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 23.—Dated Rajshahye, 3rd November, 1840.

No. 23, of 1840.

I AM directed by the Right Hon'ble the Governor of Bengal to request, that you will not in future forward to me any communications from the uncovenanted officers subordinate to you being representations relating to their services.

Representations from uncovenanted officers relating to their services to be forwarded direct to Govt.

2. The public post, His Lordship observes, is the most natural and proper medium through which, parties desirous of bringing their claims prominently to notice, should carry their wishes into effect.

*See also Circular Orders, Nizamut Adawlut, No. 68, and Dewanny Adawlut, No. 114, both dated 30th October, 1840.*

## No. LXXXVIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 24.—Dated Rajshahye, 23rd November, 1840.

No. 24, of 1840.

I HAVE the honor to acquaint you, that when property may be stolen from the malkhanah of a Magistrate's office, the Government cannot be held responsible under Regulation III. of 1827, to make good the loss to the owners; but in cases where neglect or want of care for the prevention of such loss, or the due preservation of the property from such accidents may be proved, the officers in whose custody the goods lost or stolen have been placed, will be called upon to make good the value of them.

Responsibility when goods are stolen from a Magistrate's malkhanah.

**No. LXXXIX.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 25, of 1840.

No. 25.—Dated Rajshahye, 23rd November, 1840.

Measures against  
Budducks and  
other dacoits to be  
communicated to  
Sessions Judges.

**I** HAVE the honor to request that you will acquaint the Sessions Judge to whom you are subordinate, that general measures are being taken by me in communication with Major Sleeman, for the apprehension of parties of Budducks, whom his operations in the N. W. Provinces may drive down here, and for the seizure of bodies of their kindred tribes in Bengal called Kechuks or Cheechucks, Huggooreas, and Subhoykyas, so as to prevent the organization of bands of professional dacoits in these provinces, an event which is extremely likely to be the result of the strong measures put in force by Major Sleeman against the tribes of the Chumbul and the Ruptee, if precautions are not taken to hinder parties of the up-country bands from effecting a junction with the Bengal tribes.

2. The object of this communication to the Sessions Judges, which is made under a recommendation from the Court of Nizamut Adawlut, is to prevent too summary or hasty a release by them of parties, who may be apprehended and directed by you to return to their own country as falling under suspicion of belonging to these bands.

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**No. XC.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 1, of 1841.

No. 1.—Dated, “on the river,” the 9th January, 1841.

**R**EQUIRING the early submission of the Police statements. (*Abstract*).

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**No. XCI.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 2, of 1841.

No. 2.—Dated Allipore, 11th February, 1841.

Letters address-  
ed to Supt. of Pol.  
to be superscribed

**P**ACKETS of letters frequently reaching me at a time when I am employed on business which prevents my immediate attention to them, and it being

likely that there may occur cases in which the least delay in issuing instructions will be of consequence, I request that whenever you wish my attention to be *immediately* drawn to a communication from you, you endorse the word "*immediate*" or "*urgent*" on the cover, over the direction.

No. 2, of 1841.  
 { "immediate" or  
 "urgent" when  
 necessary.

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## No. XCII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 3.—Dated Allipore, the 26th February, 1841.

No. 3, of 1841.

CIRCULATING "a further list of Police officers who are not to be re-employed in that capacity, without regard to the circumstances which led to their dismissal." (*Abstract*).

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## No. XCIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 4.—Dated Allipore, 20th March, 1841.

No. 4, of 1841.

I HAVE the honor to acquaint you that local officers before appropriating, with the concurrence of the most respectable of the inhabitants, the surplus Chowkeedaree funds for improvements on any considerable scale, are required to lay the proposed plan of appropriation before Government for sanction.

Before appropriating surplus chowkeedaree Funds, orders of Govt. to be taken.

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## No. XCIV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 5.—Dated Allipore, 20th March, 1841.

No. 5, of 1841.

IN cases where malicious injuries to public property, such as the removal of mile-stones, stealth of flag-stones from surface drains, destruction of bridges, the cutting through of roads or embankments are brought to your notice, I request that you will take all the means in your power to trace out and punish the offenders; and I beg also that you will notify throughout your district, that such acts will be certainly enquired into in all cases and punished.

Persons maliciously injuring public property to be punished.

**No. XCV.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 6, of 1841.

No. 6.—Dated Allipore, 12th March, 1841.

Deduction from thannah establishment bills of sums expended for repairs of thannah buildings.

\* No. LXXXI.

**W**ITH reference to my Circular Order of the 11th August 1840, No. 17,\* I have the honor to request, that you will acquaint me within seven days what plan you have adopted to deduct from the bills of your thannah establishments the sums before appropriated for the repairs of the thannah buildings, as I observe in the Civil Auditor's Book, that the items "stationery," and "repairs" form one head of contingencies in the thannah establishment bills.

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*See Circular Order, Superintendent of Police, Lower Provinces, No. 13, of the 30th August, 1842, para. 3.*

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**No. XCVI.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 7, of 1841.

No. 7.—Dated Allipore, 17th April, 1841.

Police not to be employed in making enquiries into the resources of the district.

**I** REQUEST that you will refrain from issuing any instructions to your police to make enquiries into the resources of your district, its population, mineral productions, &c., without my sanction having been previously obtained.

2. Such researches are quite at variance with the duties of a police, and at present, orders of that kind may certainly be perverted into means of extortion and oppression towards numerous classes of the community.

**No. XCVII.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 8, of 1841.

No. 8.—Dated Allipore, 23rd April, 1841.

Police not to interfere to procure payment of Chowkeydars' wages, and Munduls not to be compelled to keep watch.

See Nos. L. and LXI.

**I**T having been represented to me that in some districts, the Darogahs and other police officers interfere without, as well as with the orders of the Magistrates, to procure the payment of wages said to be due to the village Chowkeydars; also that the Munduls and Rynts are made by the police to keep watch or go the rounds during the night within their respective villages;



and that in failure of performing this or other duty illegally imposed on them, they are summoned to the police stations, through the means of Muskooree peons,\* on charges of neglect; I beg most particularly to call your attention to the necessity of checking all such illegal interference with the people, on the part of the police, and to request that you will issue instructions to all your police officers to refrain, under pain of severe punishment, from such acts.

No. 8, of 1841.

\* See C. O. Supdt. of Police, L. P. No. 10 of 27th April, 1844.

*See Circular Order, Superintendent of Police, Lower Provinces, No. 4, of the 31st January, 1843, para. 2.*



## No. XCVIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 9.—Dated Allipore, 28th May, 1841.

No. 9, of 1841.

I HAVE the honor to acquaint you, that the Right Hon'ble the Governor of Bengal has been pleased to associate all Magistrates with the Collectors of their districts as ex-officio members of local agencies.

Magistrates to be ex-officio members of local agencies.

2. You will be pleased to enter upon the duties\* forthwith.

\* See Regn. XIX. 1810, and Act XXXVIII. of 1837.

In cases in which it may become necessary, under the provisions of Regulation XIX. of 1810, to institute an investigation into the appropriation of the funds assigned for the support of public institutions, Local Agents are authorized, should it appear to be expedient, to convene a committee of Natives of respectability, willing to undertake the duty, and of the proper persuasion, according to the nature of the institution or endowment to which the enquiry may have reference, to conduct the investigation under their superintendence and control. It is further competent in Local Agents, to exercise their discretion in employing the agency, or availing themselves of the aid of respectable Natives, whom they may find willing to assist in the general administration of the functions committed to them, by the Regulation in question, and to determine the nature and extent of the interference which such persons shall exercise.—*Circular Order, Sudder Board of Revenue, No. 52 of the 4th February, 1820.*

Powers of Local Agents in employing Native agency.

*Extract from a letter from the Deputy Secretary to the Government of Bengal, to the Secretary to the Sudder Board of Revenue, No. 1572, dated the 24th November, 1840.*

Para. 14. It is proper in all Local Agencies, and it is now particularly called for in this, to add to the members by the appointment of Hindoos and Mahomedans of credit and capacity, as has already been done in Cuttack. Such members, if they can be induced to apply them-

Musalman and Hindoo gentleman to be associated with Local Agents in each district.

No. 9, of 1841.

selves to the task, may be made to contribute largely to the influence and the usefulness of the Agencies, and it should be the study of the Official Agents to induce their co-adjutors to lend themselves heartily to the work.

15. It is, however, very much to be doubted whether if the labor of the Agents (and particularly the Unofficial Agents) be worth having, it ought not to be paid for. It may perhaps, on enquiry, appear practicable, by a rateable per centage on the incomes of the lands under charge of the Local Agents in each zillah, to allot to the unofficial members of the Agencies a moderate salary, in recompense for the labor exacted from them, and if this could be done, the duty would probably be undertaken with readiness, and discharged with punctuality.

Govt. officers not to interfere with religious institutions unless solicited.

I am directed by the Sudder Board of Revenue to send to you for communication to all the Local Agents in your Division, the annexed extract from paragraph 5 of a letter from Government, in the Revenue Department, under date the 6th ultimo.

*Extract from paragraph 5 of a letter from Government, in the Revenue Department.*

In the sentiments expressed in the last paragraph of your letter under reply, His Honor concurs so far, that he thinks no interference by any officer of Government with endowments for the maintenance of institutions purely religious, should be permitted without an application from the heads of the community connected with, or interested in the institutions.—*Circular Order, Sudder Board of Revenue, No. 73 of the 6th November, 1838.*

No. 10, of 1841.

CIRCULAR Order No. 10, of the 9th June, 1841, contains instructions for directing letters addressed to the Superintendent of Police, Lower Provinces, during his progress on tour, to Monghyr.

## No. XCIX.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 11, of 1841.

No. 11.—Dated “on the river,” 28th June, 1841.

Rules for establishment of Chowkeydars in Govt. Khass Mehals.

See No. LXVIII.

THE Sudder Board having, at my instance, directed the remuneration of the village watch in Government estates under settlement, to be provided for on the principles laid down for the maintenance of that portion of the police by the Western Board in the districts under their control, I have the honor to request, that you will communicate with the local settlement officer of your district and arrange with him for the due performance of this order, and for the taking up and payment in such estates of a fitting number of Chowkeydars.

2. In cases where much land is found uncultivated, but culturable of course, provision must be made for an augmentation in the numbers of the watch as required by an extension of cultivation and increase of population.

No. 11, of 1841.

I am directed by the Sudder Board of Revenue to send you the annexed copy of a letter from Government to the address of the Superintendent of Police, bearing date the 17th ultimo; and with reference to the last paragraph thereof, to request that you will issue such directions to the Collectors in your Division, and enforce your instructions by such supervision, as will insure the most useful and effectual co-operation on the part of the Collectors with Mr. Dampier and his subordinates, in the measures which he may adopt for the improvement of the village police of the Khass Mehals.

C. O. S. B. R. No. 44,  
of 1840.

Measures for the improvement of the village police of Khass Mehals to be taken in co-operation with the Supt. of Police.

*From the Secretary to the Government of Bengal to the Superintendent of Police, Lower Provinces.*

1. I am directed to forward to you, in continuation of my letter, No. 229 of the 6th of February last, copy of a communication from the Sudder Board of Revenue, No. 555 of the 31st ultimo and of its enclosure.

2. It appears to the Governor that the village police of Khass Mehals, that is Mehals the property of Government, ought to be so manned, paid, and organized as to be a model to all surrounding estates; and His Lordship thinks there can be no objection in such Mehals to the system (which has been proposed for all estates) of making the village watchmen paid servants of the Government.

3. It would seem indeed that much of that information as to the state of the village police and the usages of the people in respect to its constitution and support, the want of which has been in other estates so serious an obstacle to the improvement of the system, might with comparative ease, be obtained in Khass Mehals, and might be turned to good account, first in improving the police of those Mehals, and next in facilitating and gradually inducing improvement in the village police of the rest of the country.

4. Looking, then, at the subject of the Board's letter, as one of considerable importance, the Governor is desirous that it should receive close and careful attention, and that after collecting all information necessary for the purpose, you should prepare and submit a plan for the improvement of the village police of Khass Mehals beginning with those zillahs in which Khass Mehals are most numerous and most valuable.

5. This is a work in which, without the hearty co-operation of the revenue authorities, nothing useful will probably be effected; and the Sudder Board of Revenue will therefore be directed to communicate with you on the subject, and to instruct their subordinates to give you their best assistance.—*Circular Order, Sudder Board of Revenue, No. 44, dated 5th December, 1840.*

In continuation of Circular Order of the 29th January, 1840, No. 2,\* I am directed by the Sudder Board of Revenue, at the instance of the Superintendent of Police, Lower Provinces, to send you copy of a Circular of the Western Board, dated 21st February, 1840, regarding the remuneration of the village police in districts under settlement; and to request that in the assessment and settlement of Government estates in your division, due provision may be made on the principles therein laid down for the maintenance of the village watch.

C. O. S. B. R. No. 18,  
of 1841.

Remuneration of village police in Govt. estates under settlement.

\* See page 58.

No. 11, of 1841.

CIRCULAR INSTRUCTIONS REGARDING THE REMUNERATION OF VILLAGE POLICE.

The following instructions regarding the remuneration of village police are issued for the guidance of the officers employed in settlement duty in your division.

2. In districts where the settlement is now in progress, you should cause the Magistrate to inform the settlement officer whether the police are to be provided for in land or money, and what number of individuals is to be provided for in each village.

3. On receiving the information, the settlement officer must assign three acres of average good land to each Chowkeydar, and one acre to each Bullahir, if the subsistence is ordered to be given in land; and three rupees a month to each Chowkeydar, and one rupee a month to each Bullahir, if the subsistence is to be given in money.

4. In the former case the settlement officer will cause a statement of the numbers assigned to the fields in the field map and *khushreh* to be furnished to the Magistrate.—*Circular Order, Sudder Board of Revenue, No. 18, dated 19th June, 1841.*

C. O. S. B. R. No. 81,  
of 1850.

Former cess, if any  
exists, to be incorporated  
with the rent.

Para. 68. Should any chowkeydaree cess have been heretofore imposed on the land, it will, whichever of the above arrangements may be introduced, be incorporated with the rent.—*Circular Order, Sudder Board of Revenue, No. 81, dated the 26th December, 1850.*

## No. C.

### TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 12, of 1841.

No. 12.—Dated Monghyr, 9th August, 1841.

Unauthorized  
funds not to be  
created or main-  
tained in public of-  
fices.

ORDERS having been recently received from the Hon'ble the Court of Directors prohibiting the creation of unauthorized funds in public offices through the means of fines, or from deductions or savings made from the pay of establishment, and directing that all sums thus accruing should be carried to the credit of Government, I am ordered by the Right Hon'ble the Governor of Bengal to call your attention to these instructions and to direct that they be strictly adhered to in future.

*See also Circular Orders, Nizamut Adawlut, No. 90, and Decanny Adawlut, No. 157 B. both dated the 6th August, 1841; and Sudder Board of Revenue, No. 24 of the 11th August, 1841.*

The practice of imposing fines upon subordinates in public offices for official irregularities is strongly condemned by the Hon'ble the Court of Directors; and the accumulating these fines into a fund, and allowing the head of the office the discretion of awarding gratuities out of it for good conduct is strictly prohibited. The Hon'ble Court remark that the salaries in public establishments, from a necessary regard to economy, have been fixed upon a low scale, so that



no reductions could be made without placing the party who is fined in pecuniary embarrassments, which in situations of trust and responsibility, removes the guarantee of a faithful discharge of their duties. *Hon'ble Court's Despatch to Government of Bombay, 26th Nov. 1845.*

No. 12, of 1841.

Paras. 72 and 73. The Nizamut Adawlut brought to your notice the case of a Mohurrir upon whom, Mr. Pigou, Commissioner of Circuit, had imposed a fine of 100 Rupees for default of appearance as a witness on a certain trial. The court considered the fine exorbitant and were of opinion that a fine of 8 Rupees, the amount of the Mohurrir's monthly salary, would have been an adequate punishment. \* \* \* \*

\* We have on former occasions expressed our strong objection to the imposition of heavy fines upon native servants as involving them in pecuniary difficulty and inducing them to resort to improper practices for the purpose of indemnification. It appears to us, that the preferable course is, when an officer refuses to do that which his official duty requires of him, to transfer, at once, the office to a more obedient holder.

*Hon'ble Court's Judicial Despatch to Bengal, No. 4 of 11th February, 1840.*

It is absolutely necessary, however, that a Magistrate should have some small fund at his disposal; and it will generally be found that every active and efficient Magistrate contrives to form one. *Tucker's My Note Book.*

## No. CI.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 13.—Dated Monghyr, the 22nd October, 1841.

FORWARDING a “list of Police officers, who are not to be re-employed in that capacity without regard to the circumstances which led to their dismissal.” (*Abstract*).

No. 13, of 1841.

CIRCULAR Order No. 14 of the 23rd October, 1841, contains instructions for directing letters addressed to the Superintendent of Police, Lower Provinces, during his tour through the Behar province.

No. 14, of 1841.

## No. CII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 15.—Dated from camp, Patna, 3rd December, 1841.

No. 15, of 1841.

CONSEQUENT on a communication made to me by Government, I have the honor to request, that you will expunge the name of Hullother Raic, Re-employment of a dismissed Darogah.

No. 15, of 1841.

late Darogah of thannah Kissungunge, in zillah Beerbhoom, from the register of excluded Police officers transmitted to you along with my Circular Letter No. 16, of 1840. It is of course to be understood that the individual is now eligible for any public employment.

### No. CIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 16, of 1841.

No. 16.—Dated from camp, Gya, 14th December, 1841.

Address of Native gentlemen of rank.

AN instance having been brought to the notice of Government of an improper mode of address towards a Native gentleman of rank by a public functionary, I am directed to request that you will be careful that native gentlemen, and particularly those of high rank, are addressed in all public documents in a courteous style, suitable to their station in society.

### No. CIV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 17, of 1841.

No. 17.—Dated from camp, Gya, 16th December, 1841.

Calling for lists of persons to be members of Ferry Fund Committees.

WITH reference to the 2nd para. of the orders of Government published in the Calcutta Gazette of the 11th instant, page 979, being the *Rules for the future appropriation of the Surplus Ferry Collections*, I have the honor to request that you will immediately institute enquiries and furnish me with a list of persons, Natives and Europeans, whether in the employ of Government or unconnected with it, who may be willing and able to perform the duties of members of the district Committee ordered to be established in each district.

2. In this list you will be careful to include all classes of the community landholders, indigo-planters, merchants, and public servants, and state your opinion as to the qualifications and opportunities of each to carry out the intentions of the Government.

*Rules of 1841, for the future appropriation of the Surplus Ferry Collections.*

Ferry Fund Rules of 1841.

1. Committees shall be formed in each District for the management of the Surplus Ferry Funds collected under Regulation VI. 1819, and applicable under Clause II. Section VII. of that Enactment, for the promotion of the convenience and safety of Travellers and the facility of Commercial intercourse.

2. Each District Committee shall consist of not more than nine persons, of whom three shall form a quorum. The Magistrate of the District and the Executive Officer of the Division shall be ex-officio Members of the Committee. The remainder shall, in the first instance, be appointed by Government upon the recommendation of the Superintendent of Police, and shall consist as well of persons out of the service, Natives and Europeans, as of those who are connected with it. Future vacancies to be filled up by the Superintendent of Police, subject to the approbation of Government.

3. The Superintendent of Police shall be a Member of the Local Committees and preside at the Meetings whenever he is present. He shall also have a casting vote, whether absent or present, when opinions are divided.

4. The whole country is divided into Unions; the Surplus Ferry Funds in these are to be thrown together and divided between the several Districts which compose them.

5. The Unions shall be as follows:—

*1st Union.*

Sarun.  
Champarun.  
Tirhoot.

*2d Union.*

Shahabad.  
Patna.  
Behar.

*3d Union.*

Monghyr.  
Bhagulpore.  
Purneah.  
Maldah.

*4th Union.*

Dinagepore.  
Rajshahye.  
Pubna.  
Rungpore.  
Bograh.

*5th Union.*

Mymensingh.  
Sylhet.  
Dacca.

*6th Union.*

Chittagong.  
Tipperah.  
Naocolly.

*7th Union.*

Furrædpore.  
Backergunge.  
Jessore.

*8th Union.*

Nuddea.  
Moorsheadabad.  
24-Pergunnahs.  
Bârasset.

*9th Union.*

Beerbhoom.  
Burdwan.  
Bancoorah.  
Midnapore.  
Hooghly.

No. 17, of 1841.

Ferry Fund Rules  
of 1841.

No. 17, of 1841.  
 Ferry Fund Rules  
 of 1841.

6. At the close of each official year, the Accountant will ascertain what is the amount of the Surplus Ferry Funds in each Union during the preceding year, and distribute the total equally amongst the several Districts comprised in it, the Government reserving to itself the power of making a different allotment of the Funds, should such alteration hereafter appear expedient.

7. Each Committee will keep a book, in which will be entered Minutes of all its Proceedings and Resolutions. The Proceedings of each Meeting shall be attested by the Members present. This book shall always be open to the inspection of any person who may be desirous of perusing it.

8. Any Member of a Committee shall have the power to demand a reference to the Government, through the Superintendent of Police, on any point on which he may differ from the majority.

9. The Superintendent of Police, on the recommendation of the Committee, is competent to sanction Establishments to the amount of Rupees 150 per mensem, and Estimates for works to the extent of Rupees 500 on any one work. Larger undertakings than the above, must be submitted through the Superintendent of Police to the Government, for approval—the opinion of the Executive Engineer being previously recorded in each case.

10. The Disbursements will be exhibited as heretofore in the Magistrates' Accounts, and passed under the Rules applicable to such cases. The Magistrates will pay on an Order signed by three Members of the Committee, and the authority of the Superintendent of Police.

11. These Rules relate exclusively to Surplus Funds, accruing after the 30th April, 1840. No Surplus which may have accrued in any District before that date, can be expended without the express sanction of the Government of India.

*These Rules have been entirely superseded by the Rules of 1848, (and subsequent Rules) circulated with Circular Order, Superintendent of Police, Lower Provinces, No. 2 of the 26th January, 1848.*

## No. CV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 18, of 1841.

No. 18.—Dated 31st December, 1841.

Practice of registering at the thannahs, young females kept as prostitutes or slave girls, disapproved and strictly prohibited.

FROM a case which has come before me and enquiries which I have made, I am led to believe that it is a general practice for Bawds, Keepers of Brothels and others retaining young females for the purpose of prostitution, or persons moving *Loundies* or alleged slave girls from place to place, to register the names of all those whom they may purchase, procure, or entice to remain with them, at the nearest thannah or police stations.



The ostensible reason for this is, to give notice to the police of their having such persons residing with them, and to secure themselves from any suspicion of coming under the provisions of Section 2, Regulation VII. of 1819, but their real object is to induce a belief that they have a legal claim over these girls, whom they frequently retain against their wills, by the aid of the police supporting such a registry, and considering all the money, ornaments, and clothes, which these unfortunate girls may procure or have given them from their earnings as not belonging to them. They therefore refuse to part with them unless they are first re-imbursed what they demand as their expenses for keeping and clothing them, using this registry as a means of intimidating the young females into compliance.

No. 18, of 1841.

I desire therefore, that you immediately issue a notice to all your Darogahs and other police officers strictly prohibiting their keeping any such registry or allowing a list of such girls to be delivered to, or the girls to be brought before them at any place whatever, as such a practice leads to a belief that the police has authority to interfere with these persons and to give their alleged owners an illegal power over them, whilst it is besides open to many other kinds of very gross abuse.

Any police officer disobeying this injunction will be immediately, and finally removed from his situation.

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CIRCULAR Order, No 1 of the 3rd February, 1842, required all letters and packets intended for the Superintendent of Police, Lower Provinces, to be addressed to him at Monghyr after the 8th February.

No. 1, of 1842.

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## No. CVI.

### TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 2.—Dated Monghyr, 25th February, 1842.

No. 2, of 1842.

WHENEVER you apply to *this office* to sanction the offer of a reward for the apprehension of a criminal either proclaimed under Regulation IX. of 1808,\* or accused of any heinous offence, I request that you will annex a description of his person, so that when I notify the reward in the ver-

A description of proclaimed criminal's person to be given.

\* Secs. II. and III. repealed by Act XVI. of 1843.

No. 2, of 1842.

macular Gazettes, I may also give some clue for the apprehension of the individual.

| Name of person with that of his father, age and places of birth and residence. | Description of his person as far as it can be obtained, particularly noticing any peculiarities of dialect, speech, or of gait or vision. |
|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                |                                                                                                                                           |

*Modified by Circular Order, Superintendent of Police, Lower Provinces, No. 14 of the 23rd September, 1842, and applications required to be made to the Sessions Judge.*

 *See also Circular Order of the Superintendent of Police, Lower Provinces, No. 24 of the 31st October, 1843.*

C. O. Nizt. Adwt. No. 147 of 1815.

Rules to be observed in offering rewards for the apprehension of offenders.

I am directed by the Nizamut Adawlut to desire, that whenever you may have occasion to recommend the offer of a reward for the apprehension of individuals suspected of having been concerned in gang robbery, or other heinous offence, especially when you may consider it necessary that such reward should be accompanied by a proclamation, under the provisions of Section 3, Regulation IX. 1808, you will be careful, in addition to a full report of the circumstances of the case, as prescribed by Section 2 of that Regulation, to submit copies of your proceedings, or such parts of them as may be sufficient to show the grounds and evidence, on which the person or persons proposed to be proclaimed, or for whose apprehension a reward is proposed, are considered to have been concerned in the commission of the offence.

2. The above instructions are applicable to all cases in which you may have occasion to recommend a reward to the Court of Circuit, under Section 16,\* Regulation XVI. 1810; and when you may deem it sufficient to offer a reward under that Section, without the proclamation provided for by Section 3,\* Regulation IX. 1808, you will of course submit your report to the Court of Circuit, as prescribed.—*Circular Order, Nizamut Adawlut, No. 147 of the 18th April, 1815.*

\* Repealed by Act XVI. of 1843.

Not to exceed power vested in offering rewards.

See C. O. Supt. of Police L. P. No. 24 of 31st October, 1843.

Para. 2nd. You will be careful in general not to exceed the power vested in you by the Regulations and Circular Orders in force, as regards the offer of rewards for apprehension. In extreme cases, which will not admit of the delay attending a reference to a higher authority, should such a measure be found absolutely necessary, it should be immediately reported for the sanction of the officer duly authorized to make the offer which may have been tendered.—*Circular Order, Nizamut Adawlut, No. 173 of the 17th July, 1835.*

No. CVII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 3.—Dated Monghyr, 24th March, 1842.

No. 3, of 1842.

WHENEVER the offer of a reward for the apprehension of any dacoit, thug or other heinous offender has been proclaimed in the vernacular Gazettes or otherwise sanctioned by me on application to this office, the same should always be paid to the parties entitled to it as soon as possible after the recognition of the Offender brought in has been made, without making any further reference to me.

Payment of re-  
wards to be made  
at once without  
delay.

See No. CIX.

*Payment of rewards to be reported to the Superintendent of Police, vide his Circular Order No. 5 of the 11th June, 1842.*

No. CVIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 4.—Dated Monghyr, 14th April, 1842.

No. 4, of 1842.

I HAVE the honor to request that you will furnish me with a statement shewing the number of dacoities which have occurred in your district from the year 1830 up to 1837, inclusive, according to the annexed form.

Calling for a statement of da-coities from 1830 to 1837.

(1830).

| 1        | 2                    | 3                      | 4                | 5                                           | 6                            | 7                   |
|----------|----------------------|------------------------|------------------|---------------------------------------------|------------------------------|---------------------|
| January. | Number of dacoities. | Number of men engaged. | Property stolen. | Number of cases in which conviction ensued. | Number of persons convicted. | Property recovered. |
|          |                      | ,                      |                  |                                             | .                            |                     |
|          |                      | ,                      |                  |                                             |                              |                     |

*See Circular Order, Supdt. of Police, Lower Provinces, No. 5 of the 4th February, 1843.*

## No. CIX.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 5, of 1842.

No. 5.—Dated Monghyr, 11th June, 1842.

Payment of rewards for apprehension of criminals to be reported to Supt. of Police L. P.

WITH advertence to my Circular No. 3 of the current year, I have the honor to request that you will notify to this office the *payment* of every reward for the apprehension of any dacoit, thug, or other heinous offender, whether the reward may have been offered on your own or my authority.

2. You will also be pleased to give retrospective effect to this order from the commencement of the current year.

## No. CX.

TO ALL MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANT SUPERINTENDENTS, THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 6, of 1842.

No. 6.—Dated Monghyr, 6th July, 1842.

Magistrates to furnish quarterly statements of rewards and contingent disbursements.

OBSERVING great omissions in the replies of some of the Magistrates to my Circular No. 5 of the current year, in regard to the disbursement of rewards, so much so as to leave me without any adequate check in the preparation of my quarterly reports of the disbursement of contingent charges, I have the honor to annex a form, which I request you will fill up and punctually transmit to my office as soon after the close of each quarter as possible, commencing with the 2nd quarter of the present year.

2nd. You will please to note that this form not only applies to rewards, but also to *all other contingent charges* disbursed by you under my authority.



*Statement of rewards and of all other charges which have been disbursed during the 2nd Quarter of 1842, under the sanction of the Superintendent of Police, Lower Provinces.*

No. 6, of 1842.

| Month and date of sanction by the Supdt. of Police, L. P. | Month and date of Disbursement. | Description of charge.                                   | Amount. |   |   | Remarks. |
|-----------------------------------------------------------|---------------------------------|----------------------------------------------------------|---------|---|---|----------|
| 10th March, 1842,                                         | 12th April, 1842,               | Reward paid to Manick for apprehending Dhonoo a thief,   | 00      | 0 | 0 |          |
| 7th April, 1842,...                                       | 9th May, 1842, ...              | For repairs of thannah Nundongatchee,.....               | 000     | 0 | 0 |          |
| 2nd May, 1842, ...                                        | 6th June, 1842,...              | For a Burkundauze Guard, ...                             | 00      | 0 | 0 |          |
| 6th May, 1842, ...                                        | 12th June, 1842,                | For Magistrates' and Omlahs' travelling allowance, ..... | 000     | 0 | 0 |          |

*This statement should be despatched within one month from the close of the previous quarter.*

*All sums that may have been expended during the quarter, although previously sanctioned by the Superintendent of Police, are to be entered in this statement.*

*No sums that have been sanctioned by Government are to be entered.*

*Nor are items of expenditure from the surplus Ferry or Chowkeydaree Funds to be included in it.*

*See Circular Order, Superintendent of Police, Lower Provinces, No. 3 of the 12th February, 1848.*

## No. CXI.

TO ALL MAGISTRATES, JOINT MAGISTRATES, AND THUGGEE ASSISTANTS, LOWER PROVINCES.

No. 7.—Dated Monghyr, 12th July, 1842.

No. 7, of 1842.

I HAVE the honor to transmit to you the accompanying copy of a letter No. 411 of the 4th inst. from the Secretary to Government in the Judicial Department, and of its enclosure, respecting the docketting of letters, and to request that you will attend to the instructions therein contained in your future correspondence with this office.

Docketting of letters.

No. 7, of 1842.

\* To Magistrates and Joint Magistrates.

\* P. S. You will be pleased to communicate the tenor of these instructions to the Ferry Fund Committee of your district.

*From F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, to the Superintendent of Police, Lower Provinces, No. 411 dated 4th July, 1842.*

\* No. 15, 4th inst.

I am directed by the Hon'ble the Deputy Governor of Bengal to transmit to you herewith copy of a letter\* from the Junior Secretary to the Government of India with the Governor General, to the Officiating Secretary to the Government of India in the Legislative, Judicial and Revenue Departments, respecting the docketting of letters, and to request that you will adhere to the instructions therein contained when corresponding with this Government and give similar instructions to your subordinates.

*From C. G. MANSEL, Esq. Junior Secretary to the Government of India, with the Governor General, to F. J. HALLIDAY, Esq. Officiating Secretary to the Government of India in the Legislative, Judicial and Revenue Departments, No. 15 dated 4th June, 1842.*

The Right Hon'ble the Governor General of India has directed me to request that you will, with the permission of the Hon'ble the President in Council, instruct all officers in communication with your department to docket their letters when addressing Government. You will be pleased to observe the same rule on all occasions, as much inconvenience has been felt in the omission of this practice.

See No. XVI.

2. His lordship not only requires all letters addressed, to indicate by whom they are written, with the dates and subject, and to have all their enclosures duly numbered, but also that the enclosures should have an endorsement in order to shew the names of the writers, and the persons addressed, with the date and subject of each paper, as well as its number as an enclosure of the dispatch.

3. A counterpart of this letter has been sent to the Secretary to the Lieutenant-Governor, North Western Provinces.

*The order for docketting letters has been countermanded by Circular Order Superintendent of Police, Lower Provinces, No. 21 of the 10th October, 1844, but it is still in force in other Departments.*

## No. CXII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 8, of 1842.

No. 8.—Dated Monghyr, 19th July, 1842.

Mode of procuring carriage, cattle, &c. for Govt. in the N. W. Provinces.

I HAVE the honor to transmit you copy of an extract from a report by the Magistrate and Collector of Cawnpore, regarding a method adopted by him for procuring carriage, cattle, &c. for the purposes of Government.

2. Although the plan is not literally applicable here in all its parts, yet it may be capable of being so modified as to suit circumstances and become extensively useful. I request, therefore, that you will favor me with your suggestion in providing and supplying carriage, whether by land or water, for troops, within six weeks from the receipt of this communication, as I have been directed by the Government, after ascertaining the sentiments of the Magistrates subordinate to me, to submit them together with my own recommendation for the consideration of the Government.

No. 8, of 1842.

*Extract of a report from Mr. J. A. CRAIGIE, Officiating Magistrate of Zillah Cawnpore, No. 31, dated the 16th February, 1842, to the address of R. LOWTHER, Esq. Commissioner of the Allahabad Division.*

27. But I fear that I may be tedious and will offer one point more only for your perusal. The crying evil of the inadequacy of means for providing carriage to any extent without, (not to say permitting, but certainly) winking at the harsh measures resorted to by Thannadars, viz. seizing triple the number required, extorting handsome douceurs from the more respectable not to press their carts and to a smaller amount from the less wealthy to release theirs after impressment, &c. &c. modes of proceeding too well known to require any detail, ending as they invariably do in the oppression of the people and the loss of Government, who are eventually supplied with the very worst carriage in every village, has often attracted my notice; but in this district where carriage to so great an extent is always in demand, no duty struck me as more imperative than the endeavour to ameliorate the system of supplying it. After a perusal of Regulations on this head it seemed to me, that there was no positive injunction for furnishing carts through the Magistrate's office, and that officer need not indeed be applied to unless the Collector failed. This was the chief difficulty to surmount, for unless I could throw the work into the Tehseeldar's hand, I had little hope of succeeding with an underpaid body, with one of whose chief sources of gain I was about to interfere. On the 27th of March then I transferred this duty to the Collector's office and immediately called for returns of the carts and bullocks in each tehseeldaree to be registered, and there are in the district

Carriage.

|                 |                  |
|-----------------|------------------|
| 1153            | 4 Bullock carts. |
| 927             | 3 Ditto.         |
| 8003            | 2 Ditto.         |
| <hr/>           |                  |
| Total, .. 10083 | and              |
| <hr/>           |                  |
| 57566           | Plough bullocks. |
| 19906           | Cart bullocks.   |
| <hr/>           |                  |
| Total, .. 77472 |                  |

No. 8, of 1842.

Many of the plough bullocks can be used in carts. The bullocks in villages where there are no carts are not included in this statement. I pledged myself to the proprietors of the above never to call for more than 1-1th of their carts or cattle at once, never to draw on the same village again till every other village in the district had furnished its quota. Not to permit under any circumstances the impressment of carts by the Police or Commissariat (this last point caused great opposition and correspondence, but I brought the matter to issue by fining two men styling themselves Commissariat Chowdries, 5 Rupees, for as it had been customary for them to seize carts I would not fine beyond a trifle to settle the question, adding that the next case would be seriously visited, the matter was referred to the Commissary General who sided with me) and to the Commissariat I promised to supply carriage when requisite, and have done so when called on. In return for these advantages I notified to the proprietors, that no excuse for the non-provision of carriage would be listened to, as it was very improbable that 1-4th of the carriage in any village could not be supplied, and when by any accident such might be the case the zemindars must hire or borrow; that the supply of bad carriage would not be allowed; and that any delay in furnishing it would be met by a severe fine under Section 2, Regulation VII. 1825. At first as is always the case with natives till they see that one is in earnest, there were deficiencies, but a fine followed so soon, that I have established the change completely, and all to whom I have spoken, seem to approve of it. The merchant and traveller are not subjected to the inconvenience and loss they formerly encountered, (for the district bears its own burdens) while the residents of the zillah also are not deterred from bringing their marketable goods to the city in times of movement of troops. I append to this report one of the printed perwanahs for carriage, which are filled up in a few seconds, in it you may remark the zemindar is addressed personally and not through the Tehseeldar, (though the order goes through that officer of course) the object of this is to save time and to ensure regularity of demand, according to the register, which is kept with scrupulous care, and the zemindar can only challenge the register and is in no way in the power even of the Tehseeldar. On the obverse of the perwannah when he returns it, he must enter the names of the assamees whose carts he supplies, so that they also, when the village be again called on in rotation, may complain against the zemindar if he take them out of their turn. The witnesses who sign the return would be sufficient evidence on which to fine the zemindar. When I get warning long before the carriage be required, I send to the distant pergunnahs, reserving the carriage of those neighbouring to the office for emergencies. This reform could not have been more fortunately timed than in last season when the tide of demand never ebbed in consequence of the constant move of troops, and in no one instance was a single cart rejected that I supplied. On the march of the 6th Native Infantry whose orders were urgent, I was enabled to give the commanding officer Lieut.-Col. Eckford, 75 carts, 224 bullocks, at 48 hours warning, and he stated to me that he never marched with such good carriage. I could have doubled, perhaps trebled the quantity if requisite, within the same time. The demand in this district is very heavy but the supply fully equal to it, if either the system I have had the honor of explaining to you, or



some other methodical one, which some of my successors may strike out, be adopted; and as there are 10083 carts in the district and the drain on them 1126 per annum, each cart will be required by Government but once in 9 years, (the inconsiderable fraction less need not be noticed) and to determine this I have taken last year as my standard, which is much above average, so that the tax will be even lighter. When proprietors send in Urzees stating that they have sold their carts (and not unfrequently they give a false statement that they may not be called on for carriage), I send the Urzee to the Tehseeldar to be checked and the carts to be entered in the village, to an inhabitant of which it may have been sold, who sends an acknowledgment of having purchased it, and were the same system in vogue in adjoining districts, a notification would of course be sent to the Collector and the register be kept correctly; added to this, the register should be revised every second or third year.

No. 8, of 1842.

Having transferred this duty to the Collector's office, it ought perhaps to have been reported from thence, but I have introduced the subject here as it is always treated and acted on as a magisterial function, though I think erroneously.

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## No. CXIII.

### TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 9.—Dated Monghyr, 20th July, 1842.

No. 9, of 1842.

**I**NSTANCES frequently occurring of the apprehension by the Police, of the female relatives or connections of persons accused of offences, and such being almost invariably done for the purposes of extorting evidence by violence or abusing these women; I have the honor to direct, that whenever a Darogah or other Police officer apprehends or detains in his custody any females on insufficient grounds, he should be called on for his reply and punished according to the circumstances of the case, by fine or removal from office.

Police officers to be punished for apprehending on insufficient grounds, female relations of accused persons.

2. If any Police officer should be punished more than twice for the offence above noted he should be removed from the Police and the cases reported to me, that I may prevent his future employment in the force.

## No. CXIV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 10, of 1842.

No. 10.—Dated Monghyr, 15th August, 1842.

A special report of dismissed ministerial officers to be made to the Supt. of Police.

See Para. 2nd of No. VIII.

I HAVE the honor to direct that on the dismissal of any of the ministerial officers attached to your court receiving a salary of not less than 8 Rs. per month, you will furnish me with a report of the same according to the annexed form, that I may prepare a register of their names in the office, in conformity with the orders recently received from the Court of Directors.

2. An extract from this register will be forwarded to you at the close of each year to enable you to guard against the admission of improper persons into the Police offices.

*Register of Ministerial Officers dismissed.*

| 1                          | 2                                      | 3                   | 4                   | 5                  | 6                                                                                  | 7        |
|----------------------------|----------------------------------------|---------------------|---------------------|--------------------|------------------------------------------------------------------------------------|----------|
| Name of dismissed officer. | Name of his father and place of birth. | Office held by him. | Cause of dismissal. | Date of dismissal. | Description of his person, noticing any peculiarities of speech, form, or feature. | Remarks. |
|                            |                                        |                     |                     |                    |                                                                                    |          |

## No. CXV.

## TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 11.—Dated Monghyr, 25th August, 1842.

No. 11, of 1842.

WITH the approbation of His Honor, the Deputy Governor of Bengal, I have the honor to transmit to you, the accompanying two copies of the "suggestions" for the management of the several district Ferries with the assistance of the committees, and to request that you will carry the same into effect and furnish the district committee with one copy of them.

Suggestions for the management of ferries.

*For more recent rules, See Circular Order Superintendent of Police, Lower Provinces No. 2 of the 26th January, 1848.*

*Suggestions for the better management of the Ferries by the help of the District Committee.*

I. The Magistrate shall place before the committee a statement of the number of Public Ferries with the rents derived from each, and the members of the committee will be requested to furnish that officer with information regarding other Ferries, which under the provisions of Regulation VI. of 1819, ought to be declared public.

Statement to be laid before the Committee.

II. The members will be requested to superintend the several ferries near to their residences, affording to the Magistrate their aid in checking extortion on the part of the holders of the ferry as well as in keeping up good boats, and efficient crews, reporting to the Magistrate either individually or through the committee any abuses which may exist.

Individual members to superintend ferries near to their residences.

III. The Magistrate before concluding arrangements for the ferries will place before the committee, the offers made to him, the numbers of boats, and strength of the crews to be kept up and the rates of toll at each ferry, together with all other circumstances for their approval, after obtaining which he is to conclude the engagements and forward them to the office of the Superintendent of Police. The members of the committee having of course the power to submit any objections through their Secretary or the Magistrate to the same authority.

Arrangements for ferries to be submitted for the Committee's approval.

IV. The Magistrate and the committee are particularly requested to take into consideration the advantages to be gained by leasing the ferries for longer periods than from year to year. If a reasonable rent is procured such a measure will encourage the farmer or manager to lay out a capital in procuring good boats, and give him a greater interest in his farm, having a tendency to prevent the extortion now practised for the sake of obtaining as much profit as possible within the year. The leases might be given for three years at the least.

Duration of leases of ferries.

No. 11, of 1842.

Estimates of expenses to be submitted through the committee.

V. All estimates of expenses for boats, ghats &c., are to be submitted to and approved by the committee, and sent through them to the Superintendent of Police for sanction.

*See also Circular Order Superintendent of Police, Lower Provinces, No. 18 dated 20th July, 1844.*

*Regulation VI. 1819, Section III. Clauses, I. to III.*

Description of ferries which are to be considered public ferries.

III. *First.* No ferries shall be hereafter considered public ferries except such as may be situated at or near the Sudder Stations of the several Magistrates or Joint Magistrates, or such as may intersect the chief military routes, or other much frequented roads, or such as from special considerations it may appear advisable to place under the more immediate management of the Magistrates and Joint Magistrates.

Magtes. not to assume charge of ferries, under the above rule, without sanction of Govt.

*Second.* The Government reserves to itself the power of determining from time to time what ferries shall, under the preceding rule, be deemed public ferries, and as such, shall be subject to the immediate control of the Magistrates and Joint Magistrates; and no Magistrate or Joint Magistrate shall, without previous authority from Government, assume the management of any ferry which may not have been let in farm or held khass, or otherwise subjected to assessment by the Collectors, under the provisions of Regulation XIX. 1816.\*

\* Rescinded by Reg. VI. of 1819.

Lists of proposed ferries to be submitted to Govt. through the Supt. of Police.

*Third.* It will be the duty of the several Magistrates and Joint Magistrates to prepare lists of the ferries which in their judgment should, under the foregoing rules, be considered to be public ferries, and transmit them as soon as prepared, through the Superintendents of Police, for the information of Government.

## No. CXVI.

TO ALL MAGISTRATES, JOINT MAGISTRATES AND ASSISTANT SUPERINTENDENTS, THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 13, of 1842.

No. 13.—Dated Monghyr, 30th August, 1842.

Economy to be observed in the disbursement of contingent charges such as rewards, &c.

I HAVE the honor to call your particular attention to the necessity of economy in the disbursement of contingent charges, such as rewards to the police or others for the apprehension of offenders, extra police or ministerial establishments and the repairs of thannah buildings, as I shall not in future, under the late instructions from the Governor General, admit an item, the expenditure of which is not strictly necessary.

Report to be made to Supt. of Police before ad-

2. As a general rule, rewards ought only to be given in very particular instances to the officers of the police who should be induced to look forward



to promotion for acts of good conduct. In cases where great personal courage, vigilance, or tact are exhibited, a report should be made to me before the admission of the officers to a reward.

3. In the repairs of the thannahs the Magistrate should be careful to note what sums have been previously expended on the buildings, so as to judge if they have been kept with proper attention, as well as to ascertain if the sum stated to be required is really necessary.

4. No charges on account of any temporary establishments will be admitted after this, unless my sanction to their entertainment has been previously obtained.

No. 13, of 1842.  
mission of Police officers to rewards.

Magistrates to note what sums have been previously expended in repairs of thannahs.

See No. LXXXI.

Sanction to be obtained from Supt. of Police to charges on account of temporary establishment.

## No. CXVII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 14.—Dated Monghyr, 23rd September, 1842.

No. 14, of 1842.

UNDER the instructions of the Hon'ble the Deputy Governor of Bengal, I have the honor to direct, that in future you make all applications for rewards for the apprehension of criminals to the Sessions Judge of your district, giving at the same time, intimation of your proceedings to this office.

Applications to offer rewards for apprehension of criminals to be made to Sessions' Judge, and Supt. of Police to be informed.

See Nos. 2 and 3 of 1842.

## No. CXVIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 15.—Dated Monghyr, 26th September, 1842.

No. 15, of 1842.

I REQUEST that you be careful in the regular examination of the accounts kept by the treasurer of your office, so as to prevent, or immediately discover any embezzlement of money, which has lately, from the want of this precaution, been carried to a considerable extent in the office of the Magistrate of the 24 Pergunahs.

Rules for the examination and check of accounts to prevent embezzlement by Treasurers.

2. In consequence of this, I have been directed by the Hon'ble the Deputy Governor of Bengal, to call your attention to the necessity of looking into these accounts regularly, and also of adopting rules similar to those

No. 15, of 1842.

now proposed by Mr. Mytton, which if regularly adhered to, will prevent peculation to any large extent.

*First.* No sums to be entered in any accounts except the office cash account, such practice being contrary to express orders from the Court of Directors.

*Second.* The Bengallee Ledger, or Roakur Bahy, to be signed by the Magistrate and never to be allowed to be in arrear more than one day. In this Ledger every debit and credit to be entered under its appropriate head.

*Third.* No payment to be made on account of diet prisoners, salary, or any contingent charges, without an office receipt being taken, and such receipt to be written in a bound book to be signed by the persons receiving the money.

*Fourth.* A book to be kept at each thannah and by the Nazir, in which each sum sent by the Police officers or Nazir shall be entered, and the book sent up with the money for the acknowledgment of the treasurer, which is to be entered therein instead of a loose receipt being given.

*Fifth.* At the end of each month the Mohafiz, Jail Darogah, Treasurer and Nazir, to compare the register of fines with the Roakur Bahy, and give a joint certificate that the fines have been realized or the persons made over to the Jailor for imprisonment.

*Sixth.* The prescribed register of deposits to be kept in English by one of the writers, and the Mohafiz to take his certificate of registry on every order for the receipt of a deposit.

*Seventh.* The Jailor to keep two books in a form prescribed by the Magistrate, in one of which he will enter all sums sent on account of Jail manufactures and in the other all other accounts, and the Treasurer is to sign them by way of receipt in a column prepared for that purpose. The Jailor is to compare the former with the work books and to bring to notice any discrepancy.

*Eighth.* A separate detailed debit and credit account of salaries received and paid to be kept by the Treasurer and signed by the Magistrate every week.

3. It was in the above items, comprizing in fact all the accounts of a Magistrate's office, that Mr. Mytton discovered the embezzlements, and it was by insisting on a regular and detailed course of accounts being adopted that he was able to detect the frauds which had been carried on.

4. The above rules which he has now laid down for the guidance of the several officers having charge of public money are simple, and if regularly observed will be sufficient, but regularity in these matters is the most

essential point, and it will be advisable to have these rules pasted on boards and hung up in the Magistrate's private room, the English office and the Treasury, so as to prevent their being lost sight of by a change of incumbents. No. 15, of 1842.

5. I shall inspect these accounts whenever I visit your station.

*See Circular Order, Superintendent of Police, Lower Provinces, No. 12 of 28th September, 1846.*

CIRCULAR Order No. 16 of the 20th October, 1842, contains instructions for directing letters addressed to the Superintendent of Police, Lower Provinces, on his route through Purneah, Maldah, Dinagepore, Rungpore and Pubnah, to Dacca. No. 16, of 1842.

## No. CXIX.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 17.—Dated Monghyr, 28th October, 1842.

No. 17, of 1842.

I HAVE the honor to request that you will erase from the register of Police officers not again to be employed, now in your office, the name of Mullik Bunday Alli late jemadar at Gyah, whom I declared to be eligible for re-employment in consequence of his previous long service, and at the recommendation of Mr. Drummond, the Magistrate of Behar, to whom he has afforded considerable assistance in the detection of some persons lately concerned in a murder near to Gyah. Re-employment of a dismissed Jemadar of Police.

## No. CXX.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 18.—Dated Maldah, 9th December, 1842.

No. 18, of 1842.

I HAVE the honor to request that you will acquaint the Committee for the management of the surplus ferry funds of your district, that the Hon'ble the President in Council has determined that the expense of pro- Expenses of boats, rope bridges and other means of crossing rivers and

No. 18, of 1842.  
 nullahs by the public mail, chargeable to the ferry funds.  
 See No. CXV.

viding boats, rope bridges and other means of crossing rivers and nullahs, by the public mail is fairly chargeable to the ferry funds. I shall feel obliged therefore by the Committee taking into consideration the lines of post road within your district, and adopting measures for the speedy and secure transit of the public mail over such obstacles as may occur on the road.

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## No. CXXI.

TO ALL MAGISTRATES.

No. 19, of 1842.

No. 19.—Dated 9th December, 1842.

Proposed extension of Regulation XXII. of 1816, to large towns not Sudder Stations.  
 See No. L.

I AM directed to consult you as to the expediency of extending Regulation XXII.\* of 1816 to large towns not Sudder Stations. In favouring me with your opinion on this subject you will be kind enough to consider the matter very maturely, stating the towns within your jurisdiction to which you would propose the extension of the law, and you should also carefully ascertain the sentiments of the principal people concerned in the measure.

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*See Circular Order, Superintendent of Police, Lower Provinces, No. 4 of 31st January, 1843.*

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\* Regulation XXII. of 1816. For re-enacting and reducing into one Regulation, with amendments and further provisions, the rules in force for the appointment and maintenance of chokeydars of Police.

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*See Beaufort, chapter "Of chokeydars."*

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## No. CXXII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 20, of 1842.

No. 20.—Dated Dinajepore, the 16th December, 1842.

CIRCULATING a register of certain Police officers who are not to be employed again. (*Abstract.*)

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**C**IRCULAR Order, No. 1 of the 14th January, 1843, contains instructions for directing letters to the Superintendent of Police, during his progress to Dacca.

No. 1, of 1843.

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### No. CXXIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 2.—Dated Pubnah, the 14th January, 1843.

No. 2, of 1843.

**R**EGARDING the employment of convicts on works of public utility.  
(*Abstract.*)

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*See marginal note to No. LXIII. page 51.*

**C**IRCULAR Order No. 3 of the 26th January, 1843, required that all letters for the Superintendent of Police, Lower Provinces, be directed to Jessore, he having been obliged to proceed there “on urgent duty.”

No. 3, of 1843.

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### No. CXXIV.

TO ALL MAGISTRATES.

No. 4.—Dated 31st January, 1843.

No. 4, of 1843.

**B**Y direction of the Hon'ble the Deputy Governor of Bengal, I have to acquaint you that the Circular Order of the Court of Nizamut Adwalut, No. 87 of the 22d July, 1831, was merely intended to prohibit the introduction of the sudder chowkeydaree system into other than sudder towns, and has properly no reference to the common village watch, which has always existed in the country.

2. You will consider this construction explanatory of that part of my Circular Letter, No. 8 of the 23d April, 1841,\* regarding the interference of the police to procure the payment of wages said to be due to the village chowkeydars, and not apply the order of 1831 to the village watch, but proceed in all things relating to that watch as was the custom before the receipt of that Circular.

Explanatory of the Circular Orders of the Nizamut Adawlut, No. 87 of 22d July, 1831, prohibiting the introduction of Sudder chowkeydaree system into other than Sudder towns.

See No.

\* No. XCVII.

No. 4, of 1843.

The levy of the chowkeydaree tax to be confined to the stations prescribed by Regn. XXII. 1816.

Exception.

Repeated complaints having reached the Governor General of exactions practised in the introduction of the chowkeydaree tax, the Court, in pursuance of instructions received from Government, direct me to desire you will prohibit the levy of any tax, either by the Magistrates or Darogahs, on account of the chowkeydaree establishments, except at the stations, and in the mode prescribed by Regulation XXII. 1816; unless such establishments shall have been introduced and maintained with the free will and consent of the inhabitants, the withdrawal of which might endanger the security of their property.—*Circular Order, Nizamut Adawlut, No. 87, dated 22d July, 1831.*

Interpretation of the above Circular Order.

\* See page 55.

The foregoing Circular Order of the Court of Nizamut Adawlut, was intended to prevent the improper extension of the provisions of Regulation XXII. 1816, to places not contemplated in that regulation, and not to interfere with the establishments of chowkeydars which the zemindars are bound by the provisions of Section 21,\* Regulation XX. 1817, to support.—*Construction, No. 608, dated 18th November, 1831.*

## No. CXXV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 5, of 1843.

No. 5.—Dated Jessore, the 4th February, 1843.

**CALLING** for a statement of dacoities committed in each district from 1838 to 1842, inclusive, according to the annexed form. (*Abstract.*)

*Dacoities committed during 1838 to 1842.*

| District. | Year. | Number of dacoities. | Number of men engaged. | Value of property stolen. | Number of cases in which conviction ensued. | Number of persons convicted. | Value of property recovered. |
|-----------|-------|----------------------|------------------------|---------------------------|---------------------------------------------|------------------------------|------------------------------|
|           | 1838  |                      |                        |                           |                                             |                              |                              |
|           | 1839  |                      |                        |                           |                                             |                              |                              |
|           | 1840  |                      |                        |                           |                                             |                              |                              |
|           | 1841  |                      |                        |                           |                                             |                              |                              |
|           | 1842  |                      |                        |                           |                                             |                              |                              |

*This information was required in continuation of that which was called for by Cir : Order No. CVIII.*

## No. CXXVI.

TO ALL MAGISTRATES, JOINT MAGISTRATES, AND THUGGEE ASSISTANTS IN THE LOWER PROVINCES.

No. 6.—Dated Thannah Noabad, Zillah Jessore, 10th February, 1843.

No. 6, of 1843.

I HAVE the honor to transmit to you copy of an extract from the proceedings of the Hon'ble the Vice-President of India in Council in the General Department under date the 18th ultimo, No. 15, and to direct that in all cases in which you may have to refer to the Chemical Examiner, you will at the same time furnish the details from the Civil Surgeon of the station, and the evidence required by Doctor Mouat.

In referring cases to the Chemical Examiner, details should be furnished.

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EXTRACT FROM THE PROCEEDINGS OF THE HON'BLE THE PRESIDENT OF THE COUNCIL OF INDIA IN COUNCIL IN THE GENERAL DEPARTMENT UNDER DATE THE 18TH JANUARY, 1843.

*From Dr. F. J. MOUAT, Chemical Examiner to Government, to H. V. BAYLEY, Esq. Deputy Secretary to Government, General Department, No. 45, dated 10th January, 1843.*

I have the honor to inform you, that in the execution of my duty of Chemical Examiner to Government, I have several times been put to much inconvenience by no report or detail of cases being forwarded with substances sent for examination and supposed to contain poisonous matters. When the quantity of material requiring to be analysed is small, and no intimation or clue to its nature afforded by the symptoms it may have produced, some portion is necessarily expended in determining the class of poisonous agents to which it may belong, before any particular experiments can be undertaken with a view to establish its individual nature and composition, and in one or two cases the residue has been so minute as to prevent my being able to give a positive opinion on the subject. In all cases it is a matter of interest and importance, in a professional point of view, to have a detail of every case of poisoning to illustrate the chemical examination, and afford such other evidence as may form a useful guide in future and doubtful cases of the same nature.

2. I have the honor therefore to request, that all Judges and Magistrates, who may have cases requiring chemical examination be directed to furnish every detail that can be obtained, both from the Civil Surgeon and those persons who may depose to the facts of a case, for the information and guidance of the Chemical Examiner. By this means much valuable information may be obtained, which may ultimately lead to a knowledge of the poisonous vegetable substances employed by Natives for criminal purposes, very few of which can at present be detected by chemical analysis.

No. 6, of 1843.

ORDERED, that a copy of the above letter be transmitted to the Military and Judicial Departments, in order that the necessary instructions be issued from those departments to the officers of the same communicating with the Chemical Examiner to supply the omission complained of by that officer.

*Extract from the Proceedings of the Hon'ble the Deputy Governor of Bengal in the Judicial Department under date the 30th January, 1843.*

Read an extract from the proceedings of Government in the General Department, dated the 18th instant, No. 15.

\* See C. O. N. A.  
No. 129, of 1843.

Ordered that copies of the above extract be forwarded to the Sudder Court\* and to the Superintendent of Police, in the Lower Provinces, for communication to the several Sessions Judges and Magistrates.

References regard-  
ing chemical ques-  
tions and operations  
to be made direct to  
the Professor of Che-  
mistry.

Public officers are hereby informed, that a rule has been established, under directions of the Supreme Government, for all references regarding chemical questions and operations on account of Government being made direct to the Professor of Chemistry, Medical College, Fort William, who is privileged to issue and receive letters connected with his department, free of postage.—*Circular Order, Nizamut Adawlut, No. 110, dated 24th June, 1842.*

Additional instruc-  
tions regarding refer-  
ences to the Chemical  
Examiner.

It appearing that many Magistrates, under a misconception of the object of the Circular Order, No. 110 of 24th June, 1842, have referred all cases involving chemical examination to the Chemical Examiner to Government, instead of availing themselves of the aid of medical officers of their stations, I am desired by the court to request, that such references be in future limited to cases of urgent necessity, in which the local medical officer cannot afford the required information, and to doubtful cases of poisoning, &c. regarding which there may be need of information for directing the researches of the Police.

2. The Magistrates are also requested not to call upon the Chemical Examiner to make affidavits before the Chief Magistrate of Calcutta, regarding any matter referred for examination, as such affidavits are not legal evidence.—*Circular Order, Nizamut Adawlut, No. 146, dated 27th October, 1843.*

*See also Circular Order, Nizamut Adawlut, No. 129 of the 4th April, 1843.*

No. 7, of 1843.

CIRCULAR Order No. 7 of the 14th February, 1843, required that all letters for the Superintendent of Police, Lower Provinces, be directed to him at Jessore.



**C**IRCULAR Order No. 8 of the 14th February, 1843, contains instructions for the preparation of certain statements of crime in accordance with the new forms prescribed by the Nizamut Adawlut in their Circular, No. 98 of the 27th June, 1842, and for their early submission to the Superintendent of Police, with all other statements as they become due periodically.

No. 8, of 1843.

*See Circular Order, Superintendent of Police, Lower Provinces, No. 6 of the 10th May, 1845.*

## No. CXXVII.

TO ALL FERRY FUND COMMITTEES.

No. 9.—Dated Dacca, 18th April, 1843.

No. 9, of 1843.

**I** HAVE been directed by the Hon'ble the Deputy Governor of Bengal to request that you will state what roads in your district you can undertake the charge of, with reference to the amount of Ferry or other Funds at your disposal.

To state, with reference to the amount of the Ferry Funds, what roads the Committee can take charge of.

I shall feel obliged by your furnishing a reply to this letter at an early date.

## No. CXXVIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 10 —Dated 23rd May, 1843.

No. 10, of 1843.

**I** HAVE the honor to transmit the accompanying printed copies of statements made by Budduck and Kechuck leaders regarding the dacoities committed by them, which will put you in possession of the system these tribes adopt, and the long impunity with which they have carried on their depredations.

Statements made by Dacoit leaders forwarded to Magistrates with request to add to the information obtained and to endeavour to identify the dacoities referred to.

2. I must request of you to endeavour most earnestly to add to the information now sent to you, and endeavour to identify those dacoities regarding which I have not hitherto been able to procure information.

3. I have statements of other Kechucks with me, which corroborate the statements now sent, and one now being made by Deola, who is named by

No. 10, of 1843.

Behadloor, is fully confirmative of the residence of part of these men at Huringatta, and the knowledge, (if not indeed actual participation in one crime, that at Sulkea) which Mr. ———, at that place, had of their misdeeds.

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*The statements which are very voluminous would greatly enhance the price of this compilation and are therefore omitted.*

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No. 11, of 1843.

CIRCULAR Order No. 11 of the 3rd June, 1843, contains instructions for directing letters addressed to the Superintendent of Police, Lower Provinces, to Pubnah and Nuddeah.

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## No. CXXIX.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 12, of 1843.

No. 12.—Dated 22nd June, 1843.

Classification of  
crime in the state-  
ments of crime.

I HAVE the honor to request that in forwarding to me your six-monthly statements, you will be kind enough to take particular care to define the miscellaneous cases, and also those under head 42, No. 1 of the new statements furnished to the Nizamut Adawlut, separating distinctly the *attempts* to commit the *different crimes* named in the statement.

2. I now draw up my reports according to the English classification as,  
Offences against the person.

Offences against property attended with violence.

Offences against property without violence.

Malicious offences against property.

Forgery, and offences against the currency.

Other offences not included in the above.

3. You will see my remarks on the above classification in paras. 855 to 862 (annexed) of my first report for 1840; and although to save my subordinates extra trouble, I have not required any forms differing from those furnished to the Nizamut Adawlut, I am sure that you will perceive how much the accuracy of my returns must depend on the correctness of your classification and definition of crimes.

4. If affrays have occurred about property, or if they have arisen from other circumstances, a note to those effects should be added opposite the column. No. 12, of 1843.

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855. In future I would venture to suggest a classification of offences to be made more approximating to the mode in use at home, as it will save much trouble to those who may be interested in comparing the statistics of crime in the two countries. The English classification is as stated below, and could with ease be adopted in these reports.

- 1st. Offences against the person.
- 2nd. Offences against property attended with violence.
- 3rd. Offences against property committed without violence.
- 4th. Malicious offences against property.
- 5th. Forgery, and offences against the currency.
- 6th. Other offences not included in the above.

856. The first class would include heads 1, 2, 3 and 4, 25, 26, 30 and 33, of statement 18 — or murders of all kinds, homicide, assaults with wounding or personal injury, and Suttee, — aiding and abetting, petty assaults, and child-stealing.

857. The second class, all descriptions of dacoities and highway robbery, burglaries and thefts with murder or wounding, and all affrays with homicide or violent breach of the peace; these generally occurring from a dispute regarding property or trespass, or a desire to obtain violent possession of property; and when not arising out of these causes they should be entered under riot, tumultuous assemblage, &c., in the sixth class.

858. The third class, all simple burglaries, and thefts (as I do not consider the offence of burglary in this country at all parallel with that crime in England), receiving stolen property, embezzlement and fraud.

859. The fourth class, arson, wilfully destroying crops, maiming cattle.

860. The fifth, forgery, coining, possessing implements for forging or coining, and being engaged in passing forged notes, or false money.

861. The sixth, illegal purchase and sale of slaves, riot, sedition, tumultuous assemblage, and all those offences not enumerated above, which are now included under head 34 of the statement sent in to this office by the Magistrates.

862. If the Right Hon'ble the Governor of Bengal approves of this classification being in my reports added to those already in use, I will in my next half yearly statements have a comparative classification on the above plan, or any other approved by His Lordship, duly drawn up for the last six months of 1839, and those of 1840, shewing the increase or diminution of each class, and the districts in which such has taken place. *Police Report of the Lower Provinces, for the first six months of 1840.*

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*See Circular Order, Superintendent of Police, Lower Provinces, No. 6 of the 10th May, 1845.*

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## No. CXXX.

## TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 13, of 1843.

No. 13.—Dated on the river, 22nd June, 1843.

What reports and proceedings Darogahs should send to the Supdt. of Police.

See Nos. XI. and LXIX.

\* These reports are to be sent only in serious cases, vide Circular Order, Supdt. of Police, L. P. No. 23 dated 12th October, 1843.

Nature of the reports to be sent.

I HAVE observed the great labour and waste of time imposed on the police officers by the practice of their being obliged to send to this office complete copies of their final proceedings in all serious cases. These papers never reach me in sufficient time to enable me to place any check over the proceedings of the police or to direct any measures, which can only be done by the local Magistrates, and they form an useless collection of records in this office, and cause the employment of irregular Muddud Neveeses by the police officers. I direct therefore that the practice be discontinued, and that in lieu of these lengthened proceedings the Darogahs in future send to me the following\* reports.

*First.* On proceeding to investigate any case they will forthwith send me a notice of their departure, stating the nature of the crime, the name of the accused as far as then ascertained, and the names of the persons or person giving the information.

*Second.* On closing a case they will report if they have *chullaned* any parties in the form No. 2, Regulation XX. of 1817, the prisoners sent in, the dates of their several apprehensions and their circumstances laid down in that statement; and if they have not procured evidence to justify their sending in the accused, they will forward to me in as concise a form as practicable the grounds on which they have exercised their discretion, in that manner, avoiding all recapitulation of evidence and unnecessary verbiage.

Magistrates to be watchful of the Darogahs' proceedings.

2. You will be kind enough to issue these orders to your police, and to make this plan useful, it will be your duty to keep a strict watch over the proceedings of your subordinates, so as to be able to furnish me with such information regarding their proceedings as I may think from any circumstances necessary to call for.



No. 13, of 1843.

FORM No. 2. OF APPENDIX TO REGN. XX. OF 1817.

*Chelan or Dispatch of Prisoners for the Thannah of* \_\_\_\_\_ *Zillah of* \_\_\_\_\_

| No. of the Chelan. | Name and residence of the complainant or Prosecutor. | Names of the prisoners and their place of residence; also the name of the Pergunnah, and of the Landholder or Farmer.                                                     | Abstract of the offence and the date of its occurrence, and also the date of the urzee, complaint or information. | Date and time of the apprehension of the accused. | Where apprehended and by whom.                   | Date and time of the arrival of the accused at the Thannah. | Date and time of his dispatch to the Sudder station and under charge of what Burkundauze.         | Names of the Witnesses.               | Remarks. |
|--------------------|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------|----------|
| 1                  | Randial, inhabitant of Mouza Serai Akel.             | 1 Jeesook, inhabitant of Mouza Jaunsut, Pergunnah Dulmow, in the estate of Ram Sing, Zemindar.<br>2 Matab, inhabitant of Mouza Paharee, Zemindar, and Pergunnah as above. | Burglary and Wounding on the 5th of April, 1816.<br>Complaint made on the 6th of April.                           | On the morning of the 15th of April.              | By Nuttoo Chowkeydar, in the village of Jaunsut. | On the evening of the 15th of April.                        | On the evening of the 16th of April, under the custody of Ram Sing and Mootee Sing, Burkundauzes. | Bood Sing Kaora, Ruttanah Khodabuksh. |          |

## No. CXXXI.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 14, of 1843.

No. 14.—Dated “on the Jellinghee,” 1st July, 1842.

**C**IRCULATING a list of “Police officers who have been dismissed for disqualifying offences, and who are not to be re-employed in that capacity without a special reference” to the Superintendent of Police, Lower Provinces. (*Abstract*).

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## No. CXXXII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 15, of 1843.

No. 15.—Dated Nuddeah, 4th July, 1843.

Promotion of Darogahs of Police; care to be taken in recommending deserving officers

**T**HE Hon’ble the Deputy Governor of Bengal having, with the sanction of the Supreme Government, determined on holding out to the Police Darogahs an increase of salary to those deserving of it, as an incentive to emulation amongst them and leading to the improvement of the character and efficiency of the Police in these provinces, I have the honor to direct that you immediately prepare and transmit to me a list of the Police Darogahs in your district, stating how long each has been employed, with what character, whether he has performed his duty satisfactorily, and in what particular cases he has met with approbation or reward, or had his name entered in the register of those deserving of future promotion for good conduct.

2. You will also particularize those whom you would recommend for selection for the higher grades of salary, being 100 Rs., 75 Rs., and 50 Rs. per month; I must look to your taking the greatest care in making these recommendations, as the efficiency of the new proposition will depend materially on the selections being properly made.

P. S. You will also send me the names of any Darogahs in your district who may be receiving less than 25 Rs. per month.

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*See Circular Order, Superintendent of Police, Lower Provinces, No. 3 of the 7th March, 1844.*

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*Promotion of Darogahs to the higher Grades.*

No. 15, of 1843.

With the sanction of the Government of India, the Right Honourable the Governor of Bengal has been pleased to direct the re-modelling of the police Darogah establishment in the provinces subordinate to this Government.

The police Darogah establishment remodelled.

The Establishment will in future consist of three Grades, composed as follows:

50 First Grade Darogahs, each drawing 100 Rs. salary per mensem.

100 Second Grade Darogahs, each drawing 75 Rs. salary per mensem.

The whole of the remaining Darogahs on salaries of Rs. 50 each per mensem will form the third Grade.

It will consist of three grades.

First grade.

Second grade.

Third grade.

The Darogahships of the first and second Grades will be distributed in the following proportions, which coincide as nearly as possible with the relative numbers of the Darogahs in the several provinces.

Distribution of the grades.

|                                  | 1st Grade. | 2d Ditto. | 3rd Ditto. |
|----------------------------------|------------|-----------|------------|
| Lower Provinces, . . . . .       | 42         | 84        | 322        |
| Cuttack, . . . . .               | 2          | 4         | 15         |
| Assam, . . . . .                 | 3          | 6         | 15         |
| Arracan, . . . . .               | 1          | 2         | 10         |
| S. W. Frontier Agency, . . . . . | 2          | 4         | 12         |
| Cachar, . . . . .                | 0          | 0         | 3          |
| Total, . . . . .                 | 50         | 100       | 377        |

—Govt. Notification of the 27th February, 1845.

2nd. From the Reports which Mr. Dampier and the other Superintendents of Police have recently furnished in accordance with the orders of Government on this subject, it appears that there have been several vacancies in the higher grades which have not been filled up for four and five years. It is most objectionable that meritorious officers should remain so long unrewarded, and be deprived of the full benefit of the promotion to which, under the orders of Government they are entitled. The expectations under which the salaries of Police Darogahs were raised to the higher amounts must necessarily fail, if notwithstanding the existence of vacancies, years are allowed to elapse before repeated recommendations on the part of their official superiors result in obtaining the promised reward for those who are entitled to it. To the existence of this delay in promotion, may, in some measure, be attributed the unsatisfactory circumstance stated by Mr. Dampier, that of the 3rd grade Darogahs there are not a sufficient number worthy of promotion to fill the whole of the vacancies in the 2nd grade.

G. O. 17th Feb. 54,  
No. 8.  
Promotion of Police  
Darogahs.

3rd. Moreover, the important object which the Government has in view, of encouraging natives of education and respectability to enter the Police, must of necessity fail unless there is a fair certainty that good conduct will lead within a moderate period to promotion to the higher grades.

No. 15, of 1843.

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4th. On these considerations, it has been determined no longer to assign a fixed proportion of the higher appointments to the several Regulation and Extra-Regulation Provinces, (as directed in the Notification of the 27th February 1845), or to the several Police Divisions now constituted, as it may frequently happen, that while in one Division or Province there is no Darogah deserving of promotion, in another, there may be more than the number for whom, under the former practice, there would have been vacancies.

5th. In future, therefore, the total number of 1st and 2nd grade appointments at the disposal of the Government will be held available for such Darogahs as deserve promotion wherever they may be posted, and without reference to the number of officers of the same grade in any one Province or Division.

6th. A Register of all Darogahs of the two senior grades will be kept in this office, and all vacancies occurring in your Division through the death, suspension, degradation or dismissal of officers in those grades will be reported by you without loss of time.

7th. You will be good enough to furnish immediately, and hereafter annually, with your Police Report, two Statements in the forms A. and B. annexed, showing what officers you consider entitled to promotion and the order in which they should, in your opinion, be promoted; and each year's lists should be made to supersede those previously submitted.

8th. As vacancies occur, promotions will be made by the Government from the record thus kept of the returns from the several Divisions. In this manner a more systematic plan of promotion will be observed, and Darogahs will be promoted, not only for single instances of good conduct, or because others of equal desert have been less prominently noticed, but on a general view of their past services and merits.

9th. Your particular attention and that of the Magistrates subordinate to you is called to the importance of obtaining the services of educated men on the occasion of all vacancies in the Police; and as soon as the returns called for Mr. Dampier's Circular of the 13th January 1853, shall have been furnished by the Magistrates in your Division, you will be good enough to forward an abstract of the results to Government. *Circular Order, Government of Bengal, Judicial Department, No. 8, dated the 17th February, 1854.*



**A.**

*List of Second Grade Darogahs in ..... Division, recommended for promotion to the First Grade.*

No. 15, of 1843.

G. O. 17th Feb.  
1854 No. 8.  
Promotion of Police  
Darogahs.

| NAME. | DISTRICT. | Age. | Period of service. | Date of promotion to Second Grade. | Educational qualification. | Abstract of past history and grounds of recommendation. |
|-------|-----------|------|--------------------|------------------------------------|----------------------------|---------------------------------------------------------|
|       |           |      |                    |                                    |                            |                                                         |

**B.**

*List of Third Grade Darogahs in ..... Division, recommended for promotion to the  
Second Grade.*

| NAME. | DISTRICT. | Age. | Period of service. | Educational qualification. | Abstract of past history and grounds of recommendation. |
|-------|-----------|------|--------------------|----------------------------|---------------------------------------------------------|
|       |           |      |                    |                            |                                                         |

No. 16, of 1843. **C**IRCULAR Order No. 16 of the 7th July, 1843, contains instructions for directing all letters addressed to the Superintendent of Police, Lower Provinces, to Calcutta.

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## No. CXXXIII.

TO THE SECRETARIES OF FERRY FUND COMMITTEES.

No. 17, of 1843. No. 17.—Dated Kishennugger, the 7th July, 1843.

**C**ALLING for a statement of the Ferry Funds at the disposal of each Committee, the expenditure from those funds, and the surplus available at the close of 1842-43. (*Abstract.*)

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## No. CXXXIV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 18, of 1843. No. 18.—Dated on the River, 24th July, 1843.

Attention requested to rules for the conduct of the Police. **I** HAVE the honor to request your most particular attention to the rules laid down for the conduct of the Police in the Circular of the Court of Nizamut Adawlut No. 138, dated the 16th ultimo.

2. These rules should be carefully translated and made known to the Police officers, and forms prepared, such as Charge sheets, Chullans of cases, according to the new instructions so as to prevent the Police officers from making any mistakes. I wish each Magistrate on the receipt of this to forward me his view of the forms necessary from which I will draw up those fitted for the Bengal and Behar districts, and have them lithographed for distribution.

3. It will not be necessary now to furnish me with copies of the Roob-karrees\* of convictions, commitments and acquittals in serious cases, it will be sufficient to forward me a list, monthly, of convictions and acquittals in the following form.

\* No. LXXV.

No. 18, of 1843.

| Convicted, with date. | Crime. | Name of Prisoner.         |
|-----------------------|--------|---------------------------|
|                       |        |                           |
|                       |        |                           |
| Acquitted, with date. | Crime. | Name of Person acquitted. |
|                       |        |                           |
|                       |        |                           |

#### 4. If any remarks are necessary they may be sent separately.

Para. 3d. The following rules, framed by the Superintendent of Police, are to be communicated by Magistrates to the Police officers for their observance.

1st. In all cases cognizable by the Police, the depositions of the informant or plaintiff, or of both, are to be immediately taken at length; the Police officers being careful, particularly to enquire from them what they saw themselves—what they learnt from others—who the persons were from whom they learnt it—the prosecutor's witnesses, and what evidence each witness is supposed to be capable of giving. In cases of dacoity, highway robbery, theft and burglary, the list of property lost must invariably accompany the plaintiff's deposition, and the above papers must be forwarded to the Magistrate immediately on being received.\*

2d. The Sooruthals required in Sections 14 and 15, Regulation XX. of 1817, or in cases of dacoity describing the appearances presented, and the facts brought to light in a *prima facie* inquiry, to be sent to the Magistrate, in place of a report, the moment they are drawn up.

3d. Confessions† of prisoners to be taken at length. No persons employed about the Thaumals, or Chowkeedars, Doosadhs or Chumars, or of such other descriptions, to be made subscribing witnesses to the same by the Police, under penalty of forfeiture of situation. These must always be respectable men of the place; and such, if possible, as can read and write, and they should be required to question the prisoner themselves, whether he has confessed voluntarily to the facts stated.

4th. The depositions of witnesses are not to be detailed in the papers sent to the Magistrate, and the summary of it to be given in the simplest form.

For example, in a case of highway robbery with murder;

*Nuzzer Allee, Peer Bux and Govindram deposed to having witnessed the deed;*

*Doorga, Ewoz Jan, and Ruttun recognize the property;*

*Sheolal and Gooroo Dass witnessed the search of prisoner's house;*

*Sujut Allee and Guhgadeen saw prisoner running off with a drawn sword in his hand;*

*Janokia Dosadh Chowkeedar arrested the prisoner and saw marks of blood on his clothes.*

5th. At the bottom of this summary, the Darogah is to enter the names of those witnesses whom he examined, but who professed ignorance, or gave evidence so unimportant, as not to require their being sent in.

C. O. N. A. No. 138 of 1843.

Rules for the guidance of Police Darogahs.

\* See C. O. Supdt. of Police, L. P. No. 19 of 4th August, 1843.

† See C. O. Supdt. of Pol. L. P. No. 6 of 16th April, 1853.

No. 18, of 1843.

\* See page 113.  
See C. O. No.  
LXIX. and CXXXIX.

6th. In sending in the prisoners, at the close of an inquiry, the Darogah to enter his grounds for so doing (without any recapitulation of evidence) in the Column for remarks of the Chullan No. 2,\* of Appendix to Regulation XX. of 1817.

7th. No precise rules can be laid down for the returns to Purwannahs; but any Police officer, unnecessarily taking up the time of the Magistrate with long reports, will be entered in the minor register, and such conduct, if persisted in, will cause dismissal.

8th. The Darogahs are informed that all excuses for delay in preparing and copying out voluminous reports being obviated by the above rules, any breach of the Regulations in the detention of arrested persons, or any slowness in the enquiry, will be severely dealt with. They are also to report concisely, but clearly, all important occurrences which may take place within their jurisdiction, considering that an important part of their duty.

9th. In cases when the Darogah may not think the case sufficiently proved to warrant the transmission of the accused parties to the Magistrate, he is to send in the substance of the evidence of each witness, the statements of the plaintiff and defendants, the latter taken at length, and a clear statement (without recapitulating any evidence) of the grounds of his opinion for releasing the accused. *Circular Order of the Nizamut Adawlut, No. 138 of the 16th June, 1843.*

*See also Circular Order, Superintendent of Police, Lower Provinces, No. 19 of the 4th August, 1843.*

C. O. N. A. No. 23  
of 1849.

Attention drawn to  
rules for the conduct  
of the Police.

Sessions Judges  
should take notice of  
neglect of the rules.

1. The Court desire to draw the attention of the Magistrates to the necessity of enforcing the observance of the rules laid down in para. 3 of the Circular Order No. 138 of the 16th June, 1843, abridging the proceedings of Police officers. These rules being deemed of much importance, the Magistrates are expected to be particularly careful that they are not neglected, and to call to account such officers as may persist in not conforming to them.

2. The Sessions Judges should avail themselves of every opportunity to point out to the Magistrates any instances of neglect of the rules in question which they may observe when they have occasion to refer to the proceedings of the Police in cases committed to the Sessions or called for by them. *Circular Order, Nizamut Adawlut, No. 23 of 7th April, 1849.*

X

#### *Regulation XX. of 1817. Section XIV.*

Reg. XX. of 1817. Rules for holding inquests on occasions of murder, homicide, wounding, and unnatural deaths.

Landholders and  
others held responsi-  
ble for the early com-  
munication of unna-  
tural or suspicious  
deaths.

Penalties for neg-  
lect.

XIV. *First.*—The principal persons residing in villages, whether landholders or farmers or other local managers, or Munduls, Putwarrees, or other heads of villages, are hereby declared responsible for the early and punctual communication to the officers of the nearest Police station, of all unnatural deaths, or deaths attended with suspicious circumstances, which may come to their knowledge; and any landholder, farmer, manager, or other principal inhabitant of a village, who may be convicted of wilfully neglecting or delaying to furnish the information above required, shall be liable to be fined by the Magistrate, in any sum not exceeding 200 Rupees; and in default of payment, to be confined for any period of imprisonment, not exceeding six months.



*Second.*—In all cases of murder, unnatural or suspicious death, or violent and dangerous wounding, the Darogah of Police shall make it an invariable rule, immediately on receiving information, to repair in person to the spot on which the dead body, or person wounded, may have been found, or if prevented from going personally, shall depute a proper officer; and on such occasions the following rules shall be strictly observed.

*Third.*—That they question privately in the first instance any relations, connexions, friends, or neighbours of the deceased, or of the person wounded, who may be able to state the circumstances of the case; and that they endeavour to collect, before the inhabitants shall have assembled for the public inquest, such information as may guide their inquiries in the conduct of the investigation.

*Fourth.*—That they question the individual wounded, and require him, if he is able to speak, to name and describe on oath the person by whom he may have been wounded, the names of the persons present when the act was committed, and, generally, the circumstances under which the crime was perpetrated.

*Fifth.*—That they examine the body of the person wounded, or, in cases of death, the dead body, with a view to ascertain the number of wounds or other corporal injuries; the length, breadth, and depth\* of each; with what weapons the wounds or hurts may have been given, and the parts of the body in which they may have been received; and that they record the same either at the foot of their Sooruthal or report, or on a separate paper to be annexed to the report.

*Sixth.*—That they describe particularly the spot on which the wounded person or the dead body may have been found; and that they report whether the crime appears to have been committed on the spot, or whether the individual wounded, or the dead body, appears to have been brought and laid there; also in cases of alleged suicide or of accidental death, whether the circumstances under which the body may be found are such as to warrant a conclusion, that the deceased had met with his death from his own hands, or by misadventure, or whether any, and what grounds may exist for believing the deceased to have been killed by the hands of others; and further, that they ascertain the name of the person wounded or of the deceased, if any person present should recognize him.

*Seventh.*—That if the person killed shall appear to be a stranger, and his name shall not be known, they endeavour to ascertain where he was last seen, or where he slept the night before.

*Eighth.*—That in cases in which the offenders may not be immediately discovered, or the cause of the murder or unnatural death or wounding may be unknown, the Police officer conducting the inquiry, endeavour to trace whether any enmity, ill-will, jealousy, or other, cause of dissension, subsisted between the wounded or deceased, and any other person or persons in the neighbourhood, and if so, the particulars of the disagreement; when and under what circumstances the wounded or the deceased, and the persons said to bear him ill-will, may last have been seen in company, and whether any and what angry expressions had been used by the parties; moreover, in cases in which there may be reason to believe, that the unknown offender has received any wound or other corporal injury from resistance in the perpetration of the crime, they shall question the *hujjams*, village surgeons, washermen, or other persons residing in the vicinity, who, from their profession, may be likely to afford information leading to the discovery of the offender in such cases.

*Ninth.*—That the above inquiry be made and committed to writing in the presence of creditable people, resident on the spot or in the neighbouring villages; and that they require

No. 18, of 1843.

Regn. XX. of 1817.  
On receiving information of such cases, the Darogah shall immediately proceed in person, or despatch an officer to the spot.

Connexions or neighbours to be questioned in the first instance.

Individuals severely wounded, to be required to describe the circumstances on oath.

Rules for inspecting the body of the deceased, or of the wounded person.

\* Wounds not to be probed. C.O.N.A. No. 9, of 1847.

Rules for the description of the place where the body was found.

If the deceased be a stranger, to ascertain where he was last seen.

If the offenders shall not be speedily discovered, to ascertain whether any person in the neighbourhood bore enmity to the deceased.

When the unknown offender is supposed to have been wounded, to examine the neighbouring village surgeons.

The Sooruthal to be attested by the Darogah or Police of-

## No. 18, of 1813.

Regn. XX. of 1817.  
ficer, and by a sufficient number of people, who may have been present.

In cases of murder, the instrument or weapon to be procured, if possible.

Assistance to be procured for wounded person.

Not to be moved so long as risk attends it.

Rules for the disposal of the body, in cases of murder or unnatural death.

a sufficient number of persons present to subscribe their names to the paper, which is likewise to be attested by their own signature, and forwarded without delay to the Magistrate.

*Tenth.*—In cases of murder, it shall be the duty of the officers of Police to endeavour to obtain and secure the weapon or instrument with which the crime may have been committed, in order that the same may be produced and identified at the further stages of the inquiry or trial for the offence.

*Eleventh.*—In cases of wounding, the Darogah or other Police officer, conducting the inquiry, shall endeavour to obtain for the person wounded such surgical assistance as may be procurable, and, if the wounds are severe, the individual wounded shall not be moved or sent to the Magistrate's Court, until he may be able to travel without inconvenience or risk. The Police officers are further directed to notify to the inhabitants, as occasion may offer, that, in the event of any person being wounded by robbers or others, in such manner that he cannot be conveyed to the thannah, without hazard of his life, it is not necessary to remove such person from the place where he can be best taken care of, but that immediate notice must be given at the thannah, that the Police officer may proceed to the spot, in conformity with clause second of this section, and make the inquiry therein prescribed.

*Twelfth.*—In cases of murder or unnatural death, the Police Darogah shall, on ordinary occasions, when he has completed his inquiry, either make the body over to the charge of the relations of the deceased, or shall cause it to be buried, or burnt on the spot, as the usages of the country and religious persuasion of the deceased may render proper; and it shall not be considered necessary to send the corpse for the inspection of the Magistrate; except in cases of murder by poison, or on occasions where the injury sustained by the deceased may be of a doubtful nature, requiring the inspection and report of a Surgeon, in which cases the Darogah shall, if the state of the weather and the distance from the Magistrate's Court will admit of the body being transported without risk of putrefaction on the road, forward the corpse covered with a cloth, in the most decent and expeditious manner practicable, to the Magistrate's place of residence.

*Regulation XX. of 1817. Section XV.*

Inquiries to be made by the Police officers in cases of Gang-robbery, Burglaries, and other heinous offences.

In cases of robbery by open violence, and certain other heinous offences, the Darogah will proceed to the spot or despatch an officer.

*XV. First.*—In all cases of Gang-robbery, or other robbery by open violence, as well as in every instance of a heinous crime, attended with a violent breach of the peace or other circumstances of aggravation, the Police Darogah, in whose jurisdiction the offence may occur, shall, if practicable, proceed in person to the spot without delay, transmitting an immediate report of the occurrence and of his departure from the thannah, for the information of the Magistrate. If unable to proceed in person, or if the case be not of a heinous nature, nor attended with circumstances of aggravation, the Darogah shall be at liberty to depute a fit person from among the officers acting under him, to ascertain the facts and circumstances of the case, and to procure all the information which it may be practicable to obtain for the discovery and apprehension of the offenders.

Detail of the inquiries to be pursued in such cases.

*Second.*—The Police officer making local inquiries of the description specified in the preceding section, shall be careful to ascertain and record the day and hour when the fact was committed, the situation of the place, the names and description of any persons who may have been recognized as the perpetrators of the crime, by whom such persons have been seen and known, and the names and description of any person suspected of being concerned in the



offence committed, with the grounds of such suspicion. Also a full recital of the manner in which the crime has been effected, and in cases of robbery, of the articles of property plundered; the direction in which the robbers may have fled; whether they had torches, and any, and what arms; whether they attempted to conceal their persons during the robbery; whether any arms or articles of property belonging to the robbers were picked up after the outrage; and if so, whether any person in the neighbourhood has recognized such articles; whether any number of persons were known to have assembled at any liquor shop, Fakeer's Muth, or other place immediately preceding the occurrence of the robbery, and, if so, the general character of such persons; whether the landholders and farmers or their local agents took any and what measures, immediately after the occurrence, for the discovery and apprehension of the offenders; whether the village watchmen were present, and shewed a proper degree of attention and alacrity on the occasion, or otherwise; whether there are any persons of notorious bad character in the neighbourhood, or persons who have before been punished for robbery and discharged from Jail; and, if so, where such persons were at the time of the commission of the offence.

*Third.*—The foregoing inquiries shall be made and committed to writing on the spot, in the form of a Sooruthal or report, and in the presence of three or more creditable inhabitants of the neighbourhood, by whom it shall be attested, and the papers shall be forwarded without delay for the information of the Magistrate.

*Fourth.*—It shall further be the duty of the Police officers on occasions of the description above mentioned, as well as in cases of murder and unnatural death, to apprise the persons present at the inquiry, that their suppression or denial of any knowledge, which they may possess relative to the perpetrators of the crime, will tend to invalidate their testimony, in the event of their deposing to such knowledge at a future period. They shall, at the same time, give encouragement to all persons, not accomplices or accessaries, who may have been present at the commission of a crime, to make a full communication of every fact and circumstance within their knowledge, respecting the offenders, and shall take their information or evidence with such precautions of secrecy, as may be deemed requisite, where persons supposed to have recognized any of the offenders may appear to be deterred from publicly naming them, under fear of the consequences, if the parties should not be apprehended.

*Fifth.*—The Darogahs of Police shall invariably report to the Magistrate every instance of burglary and theft, which may be brought to their knowledge or otherwise, as well as of the attempts in which the offenders may not have succeeded in carrying off property.

*Sixth.*—In cases of burglary, the Police officer conducting the inquiry shall attend to the foregoing instructions, regarding inquiries in cases of robbery, as far as the same may be applicable, and shall be careful to ascertain and report the time of the day or night at which the offence was perpetrated, and the means used in effecting an entry into the habitation, and if by breaking or cutting through a wall, mat, or other partition, the length and breadth of the aperture, also whether the house or apartment into which a burglarious entry may have been effected is used as a place of residence, or for the custody and preservation of property.

*Seventh.*—Police officers making inquiries in cases of robbery, burglary, and theft, shall require the village Chowkeydars, the landholders and their agents, and the inhabitants of the place, where the offence may be committed, to state whether they suspect any and what persons, of having committed the offence; and if so, the grounds of their suspicion, after which, they shall take the necessary measures to ascertain how far such suspicions may be well founded, and where the persons suspected may have been at the time the crime was perpetrated.

No. of 18, 1843.

Regn. XX. of 1817.

Such inquiries are to be committed to writing, and attested by three or more respectable inhabitants of the neighbourhood.

Caution against information being withheld in the first instance.

Instances of burglary and theft, or attempts shall be reported.

Accuracy to be observed in the date of the offence and description of the circumstances.

Information to be required from the Zemindars and others.

No. 18, of 1843.

C. O. N. A. No. 9  
of 1847,

Police officers how  
to report on wounds  
of wounded or de-  
ceased persons.

The direction in clause fifth, section 14, Regulation XX. of 1817, to ascertain the length, breadth, and depth of wounds, on the bodies of wounded or deceased persons, having been considered to authorize Police officers to probe wounds, the court are pleased to prohibit the practice, and to intimate that Police officers are expected to report merely from inspection, the apparent length, breadth, and depth of wounds. *C. O. Nizl. Adwt. No. 9 dated 25th June, 1847.*

## No. CXXXV.

### TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 19, of 1843.

No. 19.—Dated Balligunge, 4th August, 1843.

Omission in Police rules in Nizamut Adawlut, Circular Order, No. 138 of 16th June, 1843. When Darogahs are away from their thanahs they are to send daily reports to the Magistrate.

\* See C. O. Supdt. of Police, No. 13 of the 22nd June, 1843, and No. 23, dated 12th October, 1843.

**I** BEG to bring to your notice that there is an error in the lithographed Police Rules forwarded with the Circular of the Nizamut Adawlut, No. 138, of the 16th June. After the word *received* at the close of the 1st clause of the rules, the following words should be entered, “or at latest within twelve hours from the period of their being written.”

2. To the Rules also the following should be annexed.

“The Darogah when engaged in the mofussil is to forward *daily* to the\* Magistrate a memorandum of his proceedings in the most concise form. For example.

May 2nd, 1843. Passed the night in the village Cutcherry at Syudpore, at 10 A. M. proceeded to Mouzah Ramnuggur, and examined the Putwarree, head-ryots and others named in the margin regarding the bad characters in their village and their whereabouts on the night of the robbery; returned to Syudpore at 5 P. M.

May 3rd. Arrested Sheolall, Ram Buxsh and Deen Tewarree, took their replies and confronted them with the plaintiff Gungadeen and the witnesses named in the margin, who recognized them as concerned in the dacoity; searched their houses and found property as per list recognized by prosecutor and his witnesses.



**No. CXXXVI.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 20.—Dated Balligunge, 4th August, 1843.

No. 20, of 1843.

I HAVE the honor to request your attention to the necessity for furnishing me quickly with all reports, explanations, or proceedings, which I may call for on petitions, or other causes, as in many instances I have observed great delay in complying with my injunctions.

Necessity of promptly meeting requisitions of Superintendent of Police.

**No. CXXXVII.**

TO ALL MAGISTRATES, JOINT MAGISTRATES AND THUGGEE ASSISTANTS, LOWER PROVINCES.

No. 21.—Dated Balligunge, 7th September, 1843.

No. 21, of 1843.

I HAVE the honor to transmit for your information the accompanying printed copy of statements made by Kechucks before Capt. Marsh and myself, as well as other papers regarding dacoity, and to request that you will endeavour to identify the offences therein given.

Circulating copies of depositions and statements of Kechucks and other dacoits.

2. The statements of Deola and Soonder Singh made before me, were taken at Dacca, and these two Kechucks, who had been arrested with many of their tribe there, were quite ignorant of the previous arrest and statements of others of their tribe, and the recognition of their language and habits was made by three Budduck approvers who had no intercourse with them previously, and were not aware of a similar recognition having been made by other Budduks at Poorneah in the cases of Nohouden, Fuquera, Jhandee Khan, &c. so that the identity of the two tribes may be considered completely established.

3. The conversations with Bokai and others regarding dacoity and the statements of Kalachand Chung are intended to call the attention of the Magistrates to the existence of a league between farmers, petty landholders, mundles of villages and dacoits, as well as the knowledge on the part of the Police of the existence of such combinations, and to induce further enquiries into this important subject on the part of all the Magistrates. It may be local or confined to those districts where the sub-letting system is carried

No. 21, of 1843. { very far ; at any rate it seems to be more prevalent in those than in others ; but you should make enquiries regarding the existence of such a league and report to me.

4. If you examine some of your prisoners in jail, taking care to keep those examined separate from the rest, you will probably obtain some clue to the information required.

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## No. CXXXVIII.

TO ALL MAGISTRATES, JOINT MAGISTRATES AND THUGGEE  
ASSISTANTS, LOWER PROVINCES.

No. 22, of 1843.

No. 22.—Dated Balligunge, 7th October, 1843.

Circulating copies of the depositions of certain dacoits.

IN continuation of my Circular No. 21, dated the 7th ultimo with its enclosures, I have the honor to transmit to you the accompanying printed copy of a deposition made by Bokai regarding the dacoities in which he had been engaged, that you may perceive the manner in which information as to their associates in crimes should be obtained from prisoners.

2. In addition to such statements, the prisoner should be questioned and encouraged to state the mode or system of arranging for and perpetrating crimes amongst the classes connected with him, whether they are protected by influential persons, if they pay the Police, and if they have a regular association for the purpose of committing robberies.

3. All information obtained in this way from prisoners or others should be submitted to me for record and consideration in this office, and you should remember that information obtained as above, cannot, without other circumstances, be taken as evidence against any party named, although there can be no objection to your endeavoring to corroborate the statement of the prisoner by private enquiries on your part amongst those named by him, to your sending for whom there can be no objection, nor to your examining them.

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## No. CXXXIX.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 23.—Dated Balligunge, 12th October, 1843.

No. 23, of 1843.

I OBSERVE that the Darogahs and other Police officers report to me every time that they quit their Thannahs for the most insignificant case, and that they also report to me the occurrence of every\* theft and burglary in which no prosecution is wished for by the person whose property has been stolen.

Darogahs to report to Supt. of Police direct, only in serious cases.  
\* See C. O. No. CXXXIV.

2. This gives me and the Police needless trouble and burdens the dak much more than is necessary, and as I receive from you monthly returns of crimes of every kind, as well as the form No. 4, laid down by clause 12, Section IX. Regulation XX. of 1817,† from the Darogahs, I request that you will direct your Darogahs to report at the time to me the occurrence of serious cases only, such as murders, dacoities, affrays, highway robberies and *heavy burglaries and thefts.*

† See C. O. No. LXIX. page 59.

## No. CXL.

TO ALL MAGISTRATES, JOINT MAGISTRATES AND THUGGEE ASSISTANTS, LOWER PROVINCES.

No. 24.—Dated Balligunge, 31st October, 1843.

No. 24, of 1843.

I HAVE the honor to forward for your information and guidance copy of a letter No. 1611 of the 16th instant, from Mr. Under-Secretary Turnbull.

Supt. of Police may offer rewards to extent of Rs. 500 for apprehension of offenders, Magistrates may do so in emergency.

*From A. TURNBULL, Esq. Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq., Superintendent of Police, Lower Provinces, No. 1611, dated 16th October, 1843.*

I am directed to acknowledge the receipt of your letter No. 2151, dated the 7th instant, suggesting that authority may be placed in the hands of some officer for sanctioning the offer of rewards for the apprehension of offenders, and to inform you in reply that the Hon'ble the Deputy Governor of Bengal has been pleased to delegate that authority to you, within your jurisdiction, up to the extent of Co.'s Rs. 500.

2. You are, however, requested to inform the Magistrates under your control, that in cases of emergency, they will exercise their discretion in offering rewards up to the above mentioned amount, reporting their having done so immediately to you, who may ratify, amend, or annul their orders, as you think fit.

**No. CXLI.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 25, of 1843.

No. 25.—Dated Balligunge, 3rd November, 1843.

Magistrates to look closely after the duffadars employed by the emigration agents, as they carry a perwannah of authority which they might abuse.

**I**T having come to the knowledge of the Government that the Duffadars employed by the Emigration agents, are provided with a species of perwannah by them, addressed in English to the Judges, Magistrates, and Collectors of the zillahs, but in the Native languages to the Darogahs of Police, zemindars and others, for the purpose of securing them from interruption, and it being extremely probable that such perwannahs are represented by the men to the ignorant people as official documents giving them some degree of authority in their proceedings, I am directed to acquaint you that you should be on the alert to detect and bring to punishment any duffadar or other person, who being in possession of a document of this nature, may practice fraud, extortion, or oppression of any kind upon the people.

2. You will discourage the use of these papers or perwannahs and keep so strict an eye upon the movements of those who bear them, as that they may be made aware of their producing no real advantage, but on the contrary, exposing them to suspicion and distrust.

**No. CXLII.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 26, of 1843.

No. 26.—Dated Balligunge, 11th November, 1843.

**C**ALLING for returns of the number of peons retained at each Thannah, and the number of cases within the past twelve months, in which each Darogah has been called on, under Section XXVII. Regulation 20 of 1817 to depute peons to aid in distraint for rent. (*Abstract.*)

**No. CXLIII.**

TO ALL MAGISTRATES, JOINT MAGISTRATES AND THUGGEE ASSISTANTS, LOWER PROVINCES.

No. 27, of 1843.

No. 27.—Dated Fort William, 18th November, 1843.

Official communications to be

**I** HAVE the honor to forward for your information and guidance copy of



a letter, No. 1660 of the 6th instant and of its enclosures from Mr. Under-Secretary Turnbull.

No. 27, of 1843.

made intelligible in themselves without reference to other documents.

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*From A. TURNBULL, Esq. Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq., Superintendent of Police, Lower Provinces, No. 1660, dated 6th November, 1843.*

I am directed by the Hon'ble the Deputy Governor of Bengal to transmit herewith copy of a letter from the Under-Secretary to the Government of India, in the Foreign Department, No. 237, dated the 28th ultimo, and of its enclosure, containing instructions for rendering official communications intelligible in themselves, without reference to other documents, and to request that you will adhere to the orders therein contained, and give similar directions to the Magistrates and Joint Magistrates subordinate to you.

*From W. EDWARDS, Esq., Under-Secretary to the Government of India, to F. J. HALLIDAY, Esq., Secretary to the Government of Bengal, No. 237, dated 28th October, 1843.*

By direction of the Governor-General in Council, I have the honor to transmit for the information of the Hon'ble the Deputy Governor of Bengal, the accompanying copy of a Circular Letter, No. 999, issued under this date, with a request that corresponding instructions be furnished to the several officers subordinate to the Government of Bengal, with respect to their correspondence.

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*Circular, No. 999, of 28th October, 1843.*

The Governor-General in Council directs, that hereafter all servants of the Government, who may have occasion to refer in their letters to any numbered paragraphs of letters received, will in the margin state briefly the substance of the several paragraphs to which they so refer.

2. Every letter should, as far as possible, be made intelligible in itself without reference to any other document for the elucidation of its meaning, and great inconvenience to the public service, besides that of delay, may occasionally arise from the letter containing the paragraphs referred to, not being within the reach of the person to whom the letter making such reference is addressed.

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*See Circular Order, Superintendent of Police, Lower Provinces, No. 10, of 10th February, 1838, and 7 of the 18th October, 1848.*

**No. CXLIV.**

TO ALL MAGISTRATES, JOINT MAGISTRATES, AND THUG-  
GEE ASSISTANTS.

No. 28, of 1843.

No. 28.—Dated Balligunge, 21st December, 1843.

Circulating state-  
ments of certain  
dacoits.

**I** HAVE the honor to forward to you the accompanying printed statements made by Churn Doss and others before Mr. Mytton and myself, by which you will perceive that there exists a large community, the members of which resort to these provinces for the purpose of stealing, by which and mendicancy they and their families subsist.

2. In case of your finding any such persons resorting to your district, you should treat them as vagrants, and cause them to return to their own places of residence.

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*The statements are omitted for the reason given at page 110, at the bottom of C. O. No. CXXVIII.*

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No. 29, of 1843.

**C**IRCULAR Order, No. 29, of the 22nd December, 1843, intimates the intention of the Superintendent of Police, Lower Provinces, to proceed on a tour through the districts of Hooghly, Burdwan, Bancoorah, Beerbhoom, Moorsshedabad and Nuddeah.

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**No. CXLV.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 1, of 1844.

No. 1.—Dated Hooghly, 6th January, 1844.

Convicts not to  
be employed at a  
distance from sta-  
tions; when so  
employed, a special  
report to be made  
to Supt. of Police.

**T**HE Hon'ble the Deputy Governor of Bengal is averse to the employment of parties of convicts at a distance from the Sudder Station excepting under very particular circumstances. I have the honor to direct that you recall any parties you may have sent out under my instructions, and report to me both now and in future, all particular cases in which the employment of such parties may be of so much public use as to render it expedient to detach them, that I may refer the subject for the consideration of the Government.

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*See marginal note to No. LXIII. page 51.*

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**No. CXLVI.****TO ALL FERRY FUND COMMITTEES.**

No. 2.—Dated Burdwan, 27th January, 1844.

No. 2, of 1844.

**I** HAVE the honor to request, that in place of the quarterly report hitherto furnished by you of the works in progress under your supervision, you will be good enough to send me a half yearly one drawn up in the accompanying form.

Reports to be made half yearly to Supt. of Police of works under Ferry Fund Committees.

2. I would beg the observance of the greatest punctuality in forwarding me these statements, and I should like to have one on receipt hereof for the last half of the bygone year now due.

See also C. O. Supt. of Police, L. P. No 2, dated 5th January, 1846.

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*This Circular Order has been superseded by Circular Order, Superintendent of Police, Lower Provinces, No. 6, of the 18th May, 1848; the statement is therefore omitted here.*

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**C**IRCULAR Order No. 3 of the 7th March, 1844, circulated a form in which the Superintendent of Police, Lower Provinces, required recommendations for the promotions of Darogahs of Police to be made to him; the form has been superseded by that circulated by Government Circular Order No. 8 of the 17th February, 1854, which will be found at page 115.

No. 3, of 1844.

**No. CXLVII.****TO ALL MAGISTRATES AND JOINT MAGISTRATES.**

No. 4.—Dated Berhampore, 12th March, 1844.

No. 4, of 1844.

**T**HE Hon'ble the Deputy Governor having been pleased to dispense with my half yearly reports and to admit of my substituting an annual report in their place, I have the honor to acquaint you that I shall not re-

Half yearly statements of crime superseded by annual returns.

No. 4, of 1844.

quire the half yearly statements at the close of June, but you must prepare with the greatest care, annual statements according to the same form; and I beg your particular attention to the definition of crimes under head 41 of form I.

2. You will continue of course to submit the monthly statements and reports of all heinous crimes as they occur.

*See Circular Order, Superintendent of Police, Lower Provinces, No. 6 of 10th May, 1845.*

## No. CXLVIII.

TO ALL SESSIONS JUDGES.

No. 5, of 1844.

No. 5.—Dated Berhampore, 12th March, 1844.

Half yearly statement required by Circular Order No. 37 of 1838, to be replaced by yearly statement.

WITH advertence to my Predecessor's Circular Letter No. 37 of 1838,\* I have the honor to intimate that it will be unnecessary for you to furnish my office in future with the statement thereby required *half yearly*. An annual one of the same form will suffice.

\* No. XLIII.

## No. CXLIX.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 6, of 1844.

No. 6.—Dated 19th March, 1844.

Magistrates not to issue Circulars to the Police without sanction of Superintendent.

INSTANCES having occurred of Magistrates issuing objectionable Circular Orders to Police officers, I have the honor to acquaint you that the magisterial authorities are strictly prohibited from issuing any orders of the kind whatever till drafts of them have been submitted to and approved of by the Superintendent of Police, or, in important matters, by the Government.

*See C. O. No. 3, of 28th January, 1838.*

2. This rule has been now made imperative by the orders of the Hon'ble the Deputy Governor of Bengal, and it will be my duty to bring to His Honor's notice any breach of it on the part of magisterial authorities.



Para. 5. The Governor General in Council takes this occasion to inculcate the propriety of great caution and reserve in addressing publications of a general nature to the inhabitants of the provinces, and His Lordship in Council considers it extremely desirable, that the Magistrates should refrain from such measures, without the sanction of Government, when such sanction can be obtained without material public inconvenience, or at least without the knowledge and concurrence of the nearest local authority to which they are subject, viz. the Courts of Circuit, or the Political Agents of the Governor General in cases suited to such a reference. The Governor General in Council is sensible that emergencies may arise which may render even the delay of a reference to the Court of Circuit inconvenient and objectionable, but, in all practicable cases he desires that such reference may be made; and that when the time will admit of it, the case be invariably submitted for the decision of Government itself.—*Letter from Government to Acting Magistrate of Behar, dated 25th April, 1812.*

No. 6, of 1844.

Magistrates to be very cautious in addressing publications of a general nature to the inhabitants of the province.

I am desired to forward to you the accompanying extracts (paragraphs 275 to 280) from the report of the superintendent of police in the western provinces, for the year 1820, and an extract (paragraph 4) from a letter this day written to the officiating secretary to Government, in the judicial department, by order of the Court.

2. You are requested to furnish the several magistrates within your division, with a copy of these extracts, for their information and guidance.

*Extract from the Report of the Superintendent of Police in the Western Provinces, for the year 1820.*

PARA. 275. I shall now beg the attention of His Lordship in Council to a practice, which I have reason to think, prevails throughout the country. I allude to the issue of circular orders by the magistrates, for the guidance of the police officers and zemindars.

276. Although Regulation XX. 1817, apparently defines very particularly all the duties to be performed by the police officers, there will always be some minute forms of proceeding, in which the magistrates are fully justified in issuing instructions, although not actually enjoined by the above quoted or any other regulation; but as these circular orders are intended to have, and ought to have, all the effect of laws, it appears to me absolutely necessary, that the magistrates should not be allowed to issue them without the previous sanction of the Government, unless they should be for the purpose of publishing a regulation or rule of a superior court.

277. A circular order of the Nizamut Adawlut, dated May 7th, 1812, communicated to the magistrates the desire of Government, that they should refrain from issuing publications of a general nature to the inhabitants of the provinces; but I do not think that these orders have been much attended to, for very numerous circular orders have been issued by the magistrates in these provinces since that date, without any previous reference, and many of them are addressed to the inhabitants generally, as well as to the police officers.

278. There is a rule which I think every magistrate ought to impose upon himself, that of never issuing an order which he cannot enforce, or of threatening what he has not power to execute. A strict observance of this law will teach the magistrate to weigh carefully every order he gives, and prove to the inhabitants of his jurisdiction that his word is always law, and that implicit obedience is the best policy. It will be at once seen how dangerous this uncontrolled license to legislate must frequently prove, when not checked by sound judgment and

C. O. N. A. No. 264, of 1822.

Directing magistrates to be cautious in issuing circulars to the police and zemindars, and to furnish the superintendents with copies of them; those authorities recommending to the provincial courts the reversal of any they may deem objectionable, and communicating any difference of opinion between them and the provincial courts to the Nizamut Adawlut.

No. 6, of 1844.

discretion. The magistrate perceives what he conceives to be wrong, and a great inconvenience to the people themselves; he immediately reforms it by a circular order, to which he cannot enforce obedience, even if he can ascertain that it is disregarded, which he frequently cannot. Such an order is one to the following effect, issued by a magistrate in the upper provinces in March 1820. "It appearing, that various descriptions of weights and measures are used in the district, and it being proper that they should be reduced to one standard, it is ordered, that the seer shall consist of 96 sicca weight, and the yard (guz) of two hauths, and that these weights and measures be sealed with the seal of the court, and that any one using others shall be punished." This order is calculated to have no other effect than that of lowering the magistrate in the opinion of the people, for they will not obey it, and he cannot enforce it. The following is a greater stretch of power, and in my opinion not only altogether illegal, but in many parts highly objectionable. "The putwarees are directed to keep a descriptive list of the cattle in their respective villages: no sale of cattle to take place on a road or plain: cow-keepers to inform when stray cattle come among their flocks: when a sale of cattle takes place, the putwaree shall grant to the purchaser a certificate descriptive of the cattle, and containing the name of the seller: he shall also enter all this in a book, kept for the purpose, and receive a fee of two pice on every sale. When newly purchased cattle shall be brought to his village, the putwaree shall enter their description in his book, and receive one pie. If any person brings an ox or cow to the village, without a certificate, the putwaree shall inform the darogah. The putwaree shall also make a list of the people residing in his village, men, women, and children, and of their cattle."

279. Now the magistrate has certainly no authority, which allows him to invest the putwarees with police powers, and to demand fees; nor could he punish any one for disobeying his order, which seems to me calculated to harass and annoy the people much more than the offence which it was intended to prevent. Another magistrate, not satisfied with directing the general appointment of village chokeedars, issued an order, that they should be dressed in a particular uniform, to distinguish them from the other inhabitants.

280. I submit the above as specimens of circular orders, and if they are not sufficiently demonstrative of the expediency of checking the practice of issuing them, I could produce many more equally objectionable. But on general grounds, that the magistrates should not impose laws, without the sanction of the Government, I beg leave to recommend that it be ordered, that every circular order, which the magistrates may think it necessary to issue, shall be submitted through this office, for the approval either of the Governor General in Council, or of the Nizamut Adawlut; and that the order be not published until sanctioned by one of those authorities.

*Extract of a letter from the Acting Register of the Nizamut Adawlut, to the Acting Secretary to Government in the Judicial Department, dated 16th August, 1822.*

PARA. 4. The Court beg leave to express their concurrence generally in the opinion entertained by Mr. Ewer, as to the impropriety of circular instructions being issued by the magistrates; and, with the view of checking the prevalence of so objectionable a practice, the Court have resolved to circulate to the several magistrates, through the court of circuit, those paragraphs of Mr. Ewer's letter which have relation to the subject; to enjoin them, at the same time, to be particularly cautious in the promulgation of general or circular orders, and to furnish the superintendents of police immediately on their promulgation, with a copy of all orders of the description, which they may deem it necessary to issue. The superintendents of police

will also be requested to communicate to the provincial courts of the several divisions, with a view to their reversal, any orders of a general or circular nature, issued by the magistrates, which they may consider objectionable; and in the event of any difference of opinion between those authorities, as to the tendency of such orders, to refer the point to this Court for final adjustment.—*Circular Order, Nizamut Adawlut, No. 264, dated 16th August, 1822.*

No. 6, of 1844.

**C**IRCULAR Order No. 7, of the 26th March, 1844, contains instructions for letters for the Superintendent of Police, Lower Provinces, being addressed to him at Balligunge.

No. 7, of 1844.

**C**IRCULAR Order No. 8, of the 17th April, 1844, circulated printed copies of depositions of Ramjeet, and Ghurreepa, two notorious leaders of the Bud-duck tribe.

No. 8, of 1844.

**C**IRCULAR Order No. 9, of the 19th April, 1844, contains instructions for all Magistrates and Joint Magistrates recalling to the Sudder Station, gangs of convicts who were employed in the interior.

No. 9, of 1844.

*See marginal note at page 51.*

## No. CL.

### TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 10.—Dated Ballygunge, 27th April, 1844.

No. 10, of 1844.

**I**T appearing that in some districts there is a practice of retaining a number of peons at the thannahs, for the ostensible purpose of aiding in the distraint of property under Section XXVII. Regulation XX. of 1817, I beg to call your attention to the irregularity of such a practice, which must lead to much extortion and oppression towards the people, and to request that you will only leave with the Darogah badges sufficient for him to use as he may have occasion.

Check on the employment of muzkooree peons by the Police.



No. 10, of 1844.

2. The retention of these unsalaried officers at the thannahs leads to their constant illegal employment in police matters and to the demand of tulubana in such cases.

C. O. N. A. No. 329, of 1827.

Instructions relative to the employment of muzkooree peons.

The Court of Nizamut Adawlut direct me to forward to you the accompanying copy of an extract (paragraph 8) of a letter to my address from the Secretary to Government in the Judicial Department; and to request that you will circulate the same to the several Magistrates in your division, with instructions that they conform to the mode of proceeding therein pointed out, with regard to the employment of muzkooree peons.

*Extract of a letter from the Secretary to Government in the Judicial Department, to the Register of the Nizamut Adawlut, under date the 30th of August last.*

G. O. 30th April, 1827.

Para. S. The Vice-President in Council concurs with the Court, that it would not be expedient to issue any general prohibitory orders against the use of muzkooree peons; at the same time, with a view to check as much as possible their employment in cases not strictly provided for in the Regulations, His Lordship in Council conceives, that it would be desirable to instruct the Magistrates to require the Darogahs to report, whenever they may employ persons of that description; stating their reasons for so doing, and by whom the tulubana or diet allowance (which should in no case exceed the rate specified in Clause 7, Section 27, Regulation XX. 1817,) may have been defrayed.—*Circular Order, Nizamut Adawlut, No. 329 of the 3rd October, 1827.*

*Regulation XX. of 1817, Section XXVII. Distrain for Arrears of Land Rent.*

Reg. XX. of 1817.

Provisions of former regulations modified.

Darogah shall issue a written process upon occasion of resistance made or apprehended, to an authorized distrainer.

*First.*—Section 8, Regulation 3, 1812, is hereby rescinded, and the provisions contained in Sections 9, 10 and 11, Regulation 7, 1799, in Sections 9, 10 and 11, Regulation 5, 1800, and in Sections 17 and 19, Regulation 28, 1803, as far as they authorize any aid to be given by the police officers to distrainers, for arrears of rent, are declared subject to the following modifications.

*Second.*—Landholders, farmers and their local agents, or other persons empowered by the regulations to distrain for arrears of land rent, who may be opposed, or may be apprehensive of resistance in effecting the regular distraint, or in maintaining possession of property previously distrained, are authorized to apply to the Darogah of the thannah, in whose jurisdiction the property may be, for assistance in making or maintaining the regular distraint; and the Darogah, in order to support the distrainer and to prevent a breach of the peace, shall, on the distrainer certifying on oath or by a solemn declaration the opposition he has experienced, or the resistance which he apprehends, depute a muzkooree peon, with a written process, bearing the seal of the thannah, and signature of the Darogah, and drawn up according to the form No. 20 of the Appendix.

Deputed peon shall attend to the proceedings of the distrainer.

*Third.*—It shall be the duty of the muzkooree peon to exhibit to the defaulter the process prescribed by the preceding clause, and to use every means in his power to prevent resistance or other breach of the peace; and, unless the arrear is liquidated, to support the distrainer in the exercise of the powers vested in him by the regulations. He shall give due attention to the whole conduct and proceedings of the distrainer, so as to be able to give evidence thereon, if afterwards required, either before the Judge or Magistrate.



*Fourth.* Whenever any peon deputed under the foregoing rules may depose that he has been opposed in the execution of such duty, or the Darogah may be satisfied from the representation made on oath by the distrainer, in the first instance, that any resistance has been offered, amounting or likely to amount to a breach of the public peace, the Darogah of police shall either proceed in person or shall depute the mohurrir or jemadar of the thannah, to support the distrainer and maintain the peace. He shall also proceed in person, or depute the mohurrir or jemadar of the thannah, whenever it may be proposed by a distrainer under the powers vested in him by the regulations, to force open the outer door, or to search the private apartments of a dwelling-house in which the distrainable property of a defaulter may appear to have been concealed.

*Fifth.* The regular burkundauzes of the police establishment shall not be employed to aid distrainers for arrears of land rent, except in cases where the Darogah, mohurrir, or jemadar may proceed in person under the rules above prescribed.

*Sixth.* The landholders, farmers and other local agents, and indigo-planters, and other persons, are prohibited from using stocks, or any other instrument of restraint, for the purpose of confining ryots, or other individuals indebted to them, on any account whatever; and the Darogahs of police shall report to the Magistrates, for such orders or process as may appear proper under the general regulations, all instances which may come to their knowledge of a violation of this rule.

*Seventh.* Whenever any muzkooree peons, not receiving wages from Government, may be employed by a police Darogah under the provisions of this regulation, he shall receive tulubana, or diet allowance from the person at whose instance he may be employed, at the rate of two annas per diem; and the Darogah shall not issue any process by the hands of a muzkooree peon, until the estimated amount of the tulubana, required for the fixed allowance of the peon at the above rate, during his employment, is deposited in advance; the Darogahs are enjoined to prevent the muzkooree peon from demanding or receiving, directly or indirectly, from any party, in cases in which they may be employed, any allowance or gratuity exceeding the above rate, and shall report to the Magistrate any instances which may come to their knowledge of the violation of this rule.

No. 10, of 1844.

Regn. XX. of 1817.

Resistance being offered to the peon, the Darogah, or mohurrir or jemadar, shall proceed to his assistance. These officers only shall search dwelling-houses for distrained property.

When burkundauzes may assist in distraint.

Landholders, indigo-planters, and others shall not use stocks or other instruments of restraint.

Allowance and mode of payment of peons employed in distraint, not in the service of government.

## FORM No. 20.

## DISTRRAINT.

*Process to be delivered to a muzkooree peon, deputed to aid a distrainer.*

Form No. 20.

Whereas (*name of the distrainer or of his local agent,*) has made oath before me, that he has been opposed, or that he fears he may be opposed, in effecting the distraint of certain property, belonging to ———; which he considers it necessary to attach for the recovery of an arrear of land rent, amounting to Rs. ———, due from (*name of the defaulter or of his security*;) the bearer of this process (*name of the muzkooree peon,*) has been deputed from this thannah to aid the distress of the property of the said (*name of the defaulter or security*;) and it is hereby notified to the said (*name of the defaulter or security,*) that if he disputes the justness of the arrear demanded, it behoves him to apply forthwith, under the provisions of Sections 15 and 16 of Regulation V. 1812, to the Judge or Collector of the zillah, or to the Cauzee or Moonsiff of the pergunnah; but that in the mean time, he is required either to liquidate the amount claimed, or to allow his property to be peaceably distrained, under penalty of disobedience to this requisition, of suffering such punishment as the Magistrate may, under the regulations, judge proper to inflict.

**No. CLI.**

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 11, of 1844.

No. 11.—Dated Balligunge, 20th May, 1844.

Official documents and information not to be communicated to individuals without sanction of Government.

**I** HAVE the honor to call your attention to the notification of the Right Hon'ble the Governor-General in Council, No. 150, dated the 30th August last, published in the Calcutta Gazette of the 2nd September, 1843, and to acquaint you, that I shall in future bring to the notice of the Government, all instances in which I may conclude that information procured officially has been afforded to public Journalists, or the Editors of periodical publications, by the officers employed in the Police or Thuggee Departments.

2. This rule will be very strictly enforced, and as the breach of it will lead to very serious consequences, I consider it proper to request your particular attention to the second paragraph of the notification above referred to.

*Notification published in Calcutta Gazette of 2nd September, 1843, by order of the Government of India, Foreign Department, No. 150, dated 30th August, 1843.*

G. O. 30th Aug. 1843.

Some misconception appearing to exist with respect to the power which officers of both services have over the documents and papers which come into their possession officially, the Governor-General in Council deems it expedient to notify, that such documents and papers are in no case to be made public or communicated to individuals without the previous consent of the Government to which alone they belong.

The officer in possession of such documents and papers can only legitimately use them for the furtherance of the public service in the discharge of his official duty, and it is to be understood that the same rule which applies to documents and papers, applies to information of which officers may become possessed officially.

**No. CLII.**

TO ALL MAGISTRATES, JOINT MAGISTRATES, AND THUGGEE ASSISTANTS.

No. 12, of 1844.

No. 12.—Dated Balligunge, 5th June, 1844.

Temporary establishments not to be entertained without sanction of Government.

\* Dated 16th August.

**W**ITH advertence to my Predecessor's Circular No 30 of\* 1838, I have the honor to transmit for your information and guidance, the accompanying copy of a Circular Letter No. 747 of the 16th ultimo, from Mr. Under-Secretary Turnbull prohibiting all officers from incurring any charges on account of temporary establishments without the previous sanction of

Government, and holding them personally responsible for any infringement of that order. No. 12, of 1844.

2. When any temporary establishment may be absolutely required, you will not fail to apply for Government sanction through my office in the form annexed to Mr. Turnbull's letter.

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*From A. TURNBULL, Esq. Under Secretary to the Government of Bengal, to the Superintendent of Police, Lower Provinces, No. 747, dated 16th May, 1844.*

With reference to the prohibitory terms of the act of Parliament and of the orders of Supreme Government passed in the Financial Department quoted respectively in the margin I am directed by the Hon'ble the Deputy Governor of Bengal to inform you that the discretionary power hitherto exercised under the orders of 21st August, 1832, by Boards, Commissioners, Judges, &c., of authorizing charges on account of temporary establishments for a period not exceeding 6 months without the previous sanction of Government, is hereby withdrawn, and that in future no such charges are to be incurred without the authority of the local and Supreme Governments duly obtained on an application to be made *in the form annexed*. All charges of the above nature incurred without such authority will be at the personal responsibility of the disbursing officers.

The Form has been revised, vide C. O. Supdt. of Police, L. P. No. 7 of the 21st June, 1850.

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*Extract from Cap. 85, 3 and 4, William 4th.*

"Provided also that no Governor or Governor in Council shall have the power of creating any new office or granting any salary, gratuity or allowance without the previous sanction of the Governor-General in Council."

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*Extract from a Resolution passed by the Government of India, in the Financial Department, on the 8th December, 1843.*

"The resolution of the Government of India, dated 12th January, 1842, by which it was rendered incumbent on the local Governments to submit regularly for sanction or confirmation, a monthly statement of proposed additions to establishments, is hereby so far superseded, that the Governments of Bengal, the N. W. Provinces, Madras and Bombay, will be instructed to refrain altogether from authorizing any fresh expenditure whatever, having reference to salaries, gratuities or allowances, in anticipation of the sanction of the Government of India, excepting only in cases of the utmost emergency which are forthwith to be especially reported. G. O. 8th Dec. 1843.

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*The form having been revised, vide Circular Order, Superintendent of Police, Lower Provinces, No. 7 of the 21st June, 1850, it is omitted.*

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No. 13, of 1844.

**C**IRCULAR Order No. 13, of the 24th June, 1844, intimated that the Superintendent of Police, Lower Provinces, would proceed to Monghyr, via Hooghly, Beerbhoom and Bhagulpoor.

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### No. CLIII.

TO ALL MAGISTRATES, JOINT MAGISTRATES, AND THUGGEE ASSISTANTS.

No. 14, of 1844.

No. 14.—Dated Hooghly, 10th July, 1844.

Mode to be adopted with respect to pseudo mendicants, vagrants and suspicious characters.

\* The correspondence will be found appended to the Circular which follows.

See C. O. Supdt. of Police, L. P. No. 8 of the 14th June, 1845.

**I** HAVE the honor to transmit to you the accompanying copy of a correspondence\* as per margin, respecting the mode to be adopted with respect to vagrants and pseudo mendicants, who proceed periodically from their homes ostensibly engaged in begging, snake-catching, juggling, &c. &c., but who are in fact systematic thieves: you should carefully look out for such persons and act towards them in the manner stated by the Court of Nizamut Adawlut, confiscating all suspicious property which may be found on them.

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### No. CLIV.

TO ALL SESSIONS JUDGES.

No. 15, of 1844.

No. 15.—Dated Hooghly, 10th July, 1844.

Mode in which Magistrates are to act with regard to vagrants and pseudo mendicants.

**I** HAVE the honor to transmit to you for your information the accompanying copy of letters as per margin, regarding the mode in which Magistrates are authorized to act with regard to vagrants and pseudo mendicants, who periodically visit these provinces ostensibly engaged in begging, snake-catching, juggling, &c. &c. but who in reality are professed thieves.



2. As I have ordered general operations against these persons with a view of checking their ingress into these provinces, I think it requisite to place the opinion of the Nizamut Adawlut before you. No. 15, of 1844.

*From A. TURNBULL, Esq., Under Secretary to the Government of Bengal, to J. HAWKINS, Esq., Register of the Sudder Court, No. 811, dated 27th May, 1844.*

I am directed by the Deputy Governor of Bengal to forward for the purpose of being laid before the Sudder Court the accompanying copy of a correspondence, noted on the margin, regarding certain tribes of vagrants and pseudo mendicants, and the best means of putting a stop to their malpractices.

From Supt. of Police, No. 234, dated 3rd Feb., 1844, with 3 Enclosures.

To Offg. Secy. to Govt. of India, No. 307, dated 28th Feb., 1844.

From Ditto, No. 234, dated 11th inst. with Enclosures.

2. His Honor is anxious to obtain the opinion of the Court as to whether such vagrants can be legally sentenced to imprisonment, in default of procuring good security, under Regulation VIII. 1818, as suggested by the Superintendent of Police, and the General Agent for the suppression of thuggee and dacoity.

3. Also whether the unrepealed part of Section 10, Regulation XXII. of 1793, is applicable to vagrants of the above description.

*From J. HAWKINS, Esq., Register of the Nizamut Adawlut, to F. J. HALLIDAY, Esq., Secretary to the Government of Bengal, No. 846, dated 14th June, 1844.*

I am directed by the Court to acknowledge the receipt of the Under-Secretary's letter, No. 811, of the 27th ultimo, and to state for the information of the Hon'ble the Deputy Governor, that in their opinion, the penal provisions of Section 10, Regulation XXII. 1793, are still in force, and authorize Magistrates to demand security for good behaviour from vagrants, while Clause 1, Section 8, Regulation VIII. 1818, empowers those officers to detain persons of that description if security be not furnished.

The Magistrate shall examine on oath such vagrants or suspected persons, and also any persons who may have a knowledge of their usual place of residence, occupation, or mode of obtaining their livelihood, and if there shall appear to him grounds for supposing that they are disorderly or ill-disposed people, he shall employ them in repairing the public roads, or upon any other public work, until they find a security for their good behaviour in case of their being discharged, or until some creditable persons shall agree to entertain them in their service, or the Magistrate shall be satisfied from their deportment whilst in his custody, or other circumstances, that they will of themselves take to some service or employment so as to obtain an honest livelihood, in either of which cases, the Magistrate shall discharge them. If any person so apprehended shall make his escape from the custody of the Magistrate before he is regularly discharged, and shall be re-apprehended, he shall be imprisoned and kept to hard labor for six months.—*Regulation XXII. 1793, Section X. (unrepealed part).*

Reg. XXII. of 1793.

Magistrates how to proceed with vagrants and suspected persons.

Punishment for vagrants or suspected persons escaping from the custody of the Magistrate.

No. 15, of 1844.

Reg. VIII. of 1818.

The period of detention for security in ordinary cases, decided by the Magistrate not to exceed one year.

VIII. *First*.—Whenever the Magistrates, under the authority vested in them, by the existing regulations, may require security for the good behaviour of a prisoner, they shall (in all cases in which they may judge it safe to do so) provide in their order, for the release of the prisoner, at the end of a definite period, not exceeding twelve months.—*Regulation VIII. of 1818, Section VIII. Clause I.*

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## No. CLV.

TO ALL MAGISTRATES, JOINT MAGISTRATES, AND THUGGEE ASSISTANTS.

No. 16, of 1844.

No. 16.—Dated Hooghly, 12th July, 1844.

Proceeds of property of deceased police officers may be remitted by Collectorate drafts.

I HAVE the honor to acquaint you, that the Hon'ble the Governor of Bengal has been pleased to authorize the Magistrates in the Lower Provinces to remit by Collectorate drafts the proceeds of property belonging to deceased police officers when being at a distance.

2. The necessary instructions have been issued to the Collectors through the Accountant General.

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## No. CLVI.

TO ALL FERRY FUND COMMITTEES.

No. 17, of 1844.

No. 17.—Dated 13th July, 1844.

Apportionment of the balance of ferry funds at the close of the year.

I HAVE the honor to acquaint you, that the Hon'ble the Governor of Bengal has been pleased at my recommendation to order a new distribution of the Ferry Funds for 1843-44, which is, that the unexpended balances of each district should be carried separately to the credit of each Committee, instead of the whole balances of the districts forming one union, being, as heretofore, added to the funds of the year available for that union, and then divided amongst the districts composing it.

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*See Circular Order, Superintendent of Police, Lower Provinces, No. 2 of the 26th January, 1848.*

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## No. CLVII.

## TO ALL FERRY FUND COMMITTEES.

No. 18.—Dated Berhampore, 20th July, 1844.

No. 18, of 1844.

THE Hon'ble the Governor of Bengal is desirous that before any part of the proceeds of the ferries is applied to other purposes, that the ferries themselves should be made in all respects secure, and convenient places built for travellers and merchants, who are often unavoidably delayed at them.

Primary object of Ferry Fund Committees to promote efficiency of ferries.

See C. O. No. CXV.

2. For these purposes there should certainly be efficient protection afforded by proper police establishments on the spot paid out of the proceeds of the ferries, and if possible there should be erected some safe and convenient place of resort of the nature of a *seraie*, especially at the large and more important ferries.

3. I request, therefore, under instructions forwarded to me from the Hon'ble the Governor, that you will favor me with a list of the ferries in your district and their different rentals, noting the more important ones, together with your opinion as to those places where *seraies* and police establishments should be first placed, together with a plan and estimate of the *seraies* approved of by the executive officer and a statement of the police establishment.

4. Of course it will be requisite to commence with the more important ferries and extend the system by degrees. I must also observe, that I entertain strong objections to the employment of single police officers at out posts.

5. You will not fail to remark that the above projects are fully in accordance with the provisions of Section VII. Regulation VI. of 1819.

VII. *First*.—In assuming the management of public ferries, the general objects of the Magistrates and Joint Magistrates shall be, the maintenance of an efficient police, the safety and convenience of travellers, the facility of commercial intercourse and the expeditious transport of troops. For the above objects, they shall be careful to provide or cause to be provided safe and commodious boats; they shall fix the rates of toll on a very moderate scale, in no case exceeding, without an indispensable necessity, the rates which prevailed previous to the enactment of Regulation XIX. 1816; they shall adjust the modes of payment so that the tolls may bear as lightly as possible on the poorer classes of the community, and by leaving a fair profit to the individual who may be chosen for the immediate charge of the ferries, they shall endeavour to secure as far as possible the services of respectable and competent persons.

Reg. VI. of 1819.

Specification of objects to which the Magistrates and Joint-Magistrates are to attend, in assuming charge of the public ferries.

No. 18, of 1844.

Reg. VI. of 1819.

No collections to be made on account of Government, until the objects specified in the preceding clause have been attained.

Surplus collections how to be appropriated.

Where a public ferry shall yield a surplus revenue, former to pay it by instalments, if he refuse, ferry to be transferred to another.

The mode of paying the collections realized under this section, to be adjusted under the orders of Government. Proviso.

*Second.*—No collections shall be taken on account of Government, from the proceeds of any ferry, until the above objects are fully secured; and if in any case there shall remain a clear surplus profit, after providing adequately for those purposes, the amount collected shall be applied solely to the furtherance of similar objects, such as the repair or construction of roads, bridges, and drains, the erection of suraies, or other works of a like nature.

*Third.*—In cases of the latter description, viz. those in which the receipts of any ferry shall be sufficient to afford a surplus revenue as above mentioned, the Magistrate or Joint Magistrate, having previously received special authority from Government in that behalf, may and shall require the persons holding or applying for the charge of the ferry, to enter into an engagement for the payment, by monthly or quarterly instalments, of such a sum of money as with reference to the estimated surplus, may appear justly demandable, without risking the primary objects above indicated; and if any person in charge of a ferry shall refuse to enter into an engagement as aforesaid, and shall not assign sufficient cause for such refusal to the satisfaction of the Magistrate or Joint Magistrate, it shall be competent to such officer, to transfer the charge of the ferry to any other respectable and competent person: provided however that no person in charge of a ferry; who shall otherwise conduct himself to the Magistrate's satisfaction, shall be removed from his charge under the above rule, excepting at the expiration of the Bengal or Fussily year, according to the era current in the province.

*Fourth.*—The mode in which collections made under this section shall be paid, whether into the treasury of the Magistrate or Collector, or any other public officer, shall be determined by the orders of Government, and adjusted with the party by the Magistrate or Joint Magistrate, at the time of giving him charge of the ferry or ferries entrusted to him:—provided, however, that as a general rule, all persons in charge of ferries subject to the payment of a rent, shall, on discharging any instalments, receive and be directed to require receipts for the amount, which shall be countersigned by a European officer of Government.—*Regulation VI. of 1819, Section VII.*

*See Circular Order, Superintendent of Police, Lower Provinces, No. 2, of the 26th January, 1848.*

## No. CLVIII.

TO ALL SESSIONS JUDGES,

No. 19.—Dated Monghyr, 10th September, 1844.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 20.—Dated Monghyr, 10th September, 1844.

Nos. 19 and 20, of 1844.

Forwarding revised forms of warrants, &c. in use by justices of the peace.

I HAVE been directed by the Hon'ble the Deputy Governor of Bengal to forward to you the accompanying set of revised forms of warrants, &c. in use by Her Majesty's Justices of the peace.



*The forms of warrants, &c. which were circulated with the preceding Circulars were further revised and re-circulated in November, 1844, they are therefore omitted here and will be found (revised) appended to Circular Order No. 27 of the 23d Nov. 1844.*

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## No. CLIX.

TO ALL MAGISTRATES, JOINT MAGISTRATES, AND THUGGEE ASSISTANTS.

No. 21.—Dated Monghyr, 10th October, 1844.

No. 21, of 1844.

I HAVE the honor to direct that you desist from docketting your letters as required by my Circular Order of the 12th July, 1842. No. 7.

Docketting of letters prohibited.

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CIRCULAR Order No. 22, of the 15th October, 1844, directs Magistrates and Joint Magistrates to take measures for apprehending a native convict who escaped from Prince of Wales' Island, where he had been transported in 1829.

No. 22, of 1844.

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## No. CLX.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 23.—Dated Monghyr, 17th October, 1844.

No. 23, of 1844.

I HAVE the honor to forward you descriptive rolls of Rujeeb Allee and Muddun Roy, two notorious bad characters, who after having been for a long time confined for want of security in the Jail of the 24-Pergunnahs have just been released. It is not known where they have gone, and I send you these rolls, not with the intention that you should apprehend the parties, but that in case of their being brought before you charged with any offence you may be aware of their characters and know to what Magistrate to refer for information regarding them.

Informed of the release of two notorious bad characters from the 24-Pergunnahs' Jail.

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Rujeeb Allee Khan, son of Alif Khan, Mussulman. Fair complexion, broad forehead, open eyebrows, a scar on his back, beard and whiskers black, one scar below his right knee, rattan marks on his back, height six feet, aged about 50 years, present residence Allipore, zillah 24-pergunnahs.

Muddun Roy, son of Safulram Roy, Rajpoot. Fair complexion, sheep's eyes, open eyebrows, a scar on his nose, a scar on his left ear, mark of spleen on his belly, inoculation marks on his both arms, height six feet, aged about 40 years. Inhabitant of Bhowanipore, Thannah Tazeerat, zillah 24-pergunnahs, a very voluble talker.

## No. CLXI.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 24, of 1844.

No. 24.—Dated Monghyr, 2nd November, 1844.

Appeals from  
dismissed Police  
officers to Supdt. of  
Police to be accom-  
panied by a copy of  
the proceedings un-  
der which they are  
dismissed.

\* C.O. No. LXXX.  
para. 4, page 69.

VERY considerable delay and much extra trouble in deciding appeals from police officers regarding their dismissal being occasioned by their omission to forward with their petitions, copies of the proceedings ordering their dismissal as directed by me,\* or to adopt the course prescribed by the enclosure of my predecessor's Circular No. 20 of the 9th May, 1838, I have the honor to request that you will notify to the police of your district, that petitions of appeal unaccompanied by copies of the orders directing the dismissal of the petitioner will not be attended to by me, and that one of the two courses referred to must be followed.

*See Circular Order, Superintendent of Police, Lower Provinces, No. 8 of the 30th December, 1847.*

No. 25, of 1844.

CIRCULAR Order No. 25 of the 12th November, 1844, called for information of the general state of the crops and condition of the laboring classes in each district, with a view to measures being taken for repressing crime, which it was apprehended would be on the increase from the failure of the crops.

No. 26, of 1844.

CIRCULAR Order No. 26 of the 14th November, 1844, required that all letters intended for the Superintendent of Police, Lower Provinces, should after the 16th December be addressed to him at Patna, as he was about to proceed to that station.

## No. CLXII.

TO ALL SESSIONS JUDGES, MAGISTRATES AND JOINT MAGISTRATES.

No. 27, of 1844.

No. 27.—Dated Monghyr, 23rd November, 1844.

Form of com-  
mitment to the  
Sessions of Her

I HAVE the honor to transmit you the accompanying copy of a warrant of final commitment to the Sessions of Her Majesty's Supreme Court filled

up by the Hon'ble Company's Attorney, and also copy of a letter from Mr. Swinhoe, No. 567, dated the 5th ultimo, containing instructions in regard to such cases. No. 27, of 1844.  
Majesty's Supreme Court.

2. If you will return me the forms sent to you with my Circular Letter  
 To Sessions Judges, No. 19 of the current year. Nos. 19 and 20 of the current year,  
 To Magistrates and Joint Magistrates, No. 20 of the current year. I will send them back to you filled  
 up according to those now furnished  
 to me by the Company's Attorney,  
 and thus enable you to have all such recognizances, warrants, &c. technically prepared.

The information and deposition of — of —, taken upon oath [or solemn affirmation] by me — Esquire, magistrate of —, and one of Her Majesty's justices of the peace, on — the — day of —, 18—, who on oath [or solemn affirmation] saith: I am [*here the statement of the witness should be inserted in the first person*]. Information and deposition of prosecutor or witness.

Taken before me the day and year first above mentioned.

Justice of the Peace.

The examination of — of —, taken before me — Esquire, magistrate of —, and one of Her Majesty's justices of the peace, on — the — day of —, 18—: the said examinant being charged on the oath [or solemn affirmation] of — and others with [*here insert the crime with which the prisoner is charged, and the date on which it was committed; for example's sake the following may answer*] feloniously receiving in concert with — twenty-five Europe imitation shawls of the value of ninety Company's rupees, and one piece of book muslin of the value of four Company's rupees, of the goods and chattels of the said —, feloniously stolen and carried away from the shop of the said —, situate in the town of —, on — the — day of —, 18—, well knowing the same to have been feloniously stolen; and duly cautioned, saith:—I [*here the statement of the accused must be inserted in the first person*]. Examination of the accused.

Taken before me the day and year first above mentioned.

Justice of the Peace.

To the Foujdaree Nazir of the district of —, in the Presidency of Fort William in Bengal, and to the keeper of the jail at —.

Receive into your custody the body of — herewith sent you, he, the said — being charged before me, — Esquire, magistrate of —, and one of her Majesty's justices of the peace, on the oath of — and others with [*here insert the crime and date*]; and him, the said — safely keep until — next, the — day of — instant, when you are hereby required to bring the said — at the foujdaree court of the Warrant of commitment for further examination.

No. 27, of 1844.

district of — in the Presidency of Fort William in Bengal, before me or before such others of Her Majesty's justices of the peace for the said Presidency of Fort William in Bengal as shall be then and there present, to be re-examined and further dealt with according to law. Herein fail you not.

Given under my hand and seal this twentieth day of September, 1844.

Justice of the Peace.

Recognizance to  
prosecute.

Fort William }  
in Bengal. }

Be it remembered, that on the — day of — in the — year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, defender of the faith, and so forth, — of [*insert the name of the place of residence*] in the province of Bengal aforesaid, personally came before me — Esquire, magistrate of —, and one of the justices of our said Lady the Queen, assigned to keep the peace within the Provinces of Bengal, Behar and Orissa, and acknowledged himself to be indebted to our said Lady the Queen, in the sum of — Company's rupees of good and lawful money of Bengal aforesaid, to be made and levied of his goods and chattels, lands and tenements, to the use of our said Lady the Queen, her heirs and successors, if the said — shall fail in performing the condition under written.

The condition of this recognizance is such, that if the above bounden — shall personally be and appear on the first and on the following days of the next sessions of oyer and terminer and jail delivery, to be holden in and for the town of Calcutta and Factory of Fort William in Bengal, and shall then and there prefer a bill of indictment against — for *forgery* [*or whatever the nature of the charge may be*] and shall then and there give evidence of all such matter and things, as shall have come to his knowledge, and can be objected to the said — on the said bill of indictment, and in case such bill of indictment shall be found, then if the said — shall prosecute the same with effect, and shall then and there attend from day to day, and shall not depart the court without leave thereof, then this obligation is to be void and of no effect, otherwise to be and remain in full force and virtue.

Taken and acknowledged the day and year first above written before me.

Justice of the Peace.

Recognizance to  
give evidence.

Fort William }  
in Bengal. }

Be it remembered, that on the — day of — in the — year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, defender of the faith, and so forth, — of — [*all the witnesses names may be inserted here, but then what follows must be in the plural number*], came before me — Esquire, magistrate of —, and one of the justices of our said Lady the Queen, assigned to keep the peace within the Provinces of Bengal, Behar, and Orissa, and acknowledged himself to be indebted to our said Lady the Queen in the sum of Company's rupees — of good and lawful money of Bengal aforesaid, to be made and levied of his goods and chattels, lands and tenements, to the use of our said Lady the Queen, her heirs and successors, if the said — shall fail in performing the condition under-written.

The condition of this recognizance is such, that if the above bounden — shall personally be and appear on the first and on the following days of the next sessions of oyer and terminer and jail delivery, to be holden in and for the Town of Calcutta, and Factory of Fort William



in Bengal, and shall then and there personally attend from day to day to give evidence of all such matters and things as shall have come to his knowledge, and can be objected against [*the name of the prisoner*] on a bill of indictment to be preferred against [*the name of the prisoner*] upon the prosecution of [*the name of the prosecutor*], and if the said — shall then and there attend from day to day, and not depart the court without leave thereof, then this recognizance to be void and of no effect, otherwise to be and remain in full force and virtue.

No. 27, of 1844.

Taken and acknowledged the day and year first above written before me.

Justice of the Peace.

Fort William } Be it remembered, that on the — day of — in the — year of the  
in Bengal. } reign of our sovereign Lady Victoria, by the Grace of God, of the United  
Kingdom of Great Britain and Ireland, Queen, defender of the faith, and so forth: —  
and — and — severally came before me — Esquire, magistrate of —, and one  
of the justices of our said Lady the Queen, assigned to keep the peace within the  
provinces of Bengal, Behar, and Orissa, and acknowledged themselves to be indebted to our  
said Lady the Queen, in the sum of six thousand Company's rupees, that is to say, the said  
— in the sum of four thousand Company's rupees, and the said — and — in the  
sum of two thousand Company's rupees each, of good and lawful money of Bengal aforesaid,  
to be respectively made and levied of their several goods and chattels, lands and tenements,  
to the use of our said Lady the Queen, her heirs and successors, if the said — shall fail in  
performing the condition under-written.

Recognizance of  
bail.

The condition of this recognizance is such, that if the above bounden — shall be and appear at the foudaree court of the district of — in the presidency of Fort William in Bengal, and shall then and there attend from day to day, to answer to the charge pending against him the said — for *forgery* [*or as the nature of the case or charge may be*] and shall then and there abide and undergo the order of the said court, and shall not depart the court without leave thereof, then this recognizance to be void and of no effect, otherwise to be and remain in full force and virtue.

Taken and acknowledged the day and year first above written before me.

Justice of the Peace.

To the Sheriff of the Town of Calcutta, and Factory of Fort William in Bengal, and to the Keeper of Her Majesty's Prison at Calcutta.

Receive into your custody the body of — herewith sent you, he, the said — being charged before me, — Esquire, magistrate of —, and one of Her Majesty's justices of the peace on the oath [*or solemn affirmation*] of — and others with [*here insert the crime charged and the date when committed*] and him the said — safely keep until he shall be discharged by due course of law.

Warrant of final  
commitment to Su-  
preme Court.

Given under my hand and seal this twenty-fourth day of September, 1844.

Justice of the Peace.

To the Keeper of the House of Correction [*or other place of confinement*].

Receive into your custody the body of — herewith sent you, he, the said — being convicted before me, — Esquire, one of Her Majesty's justices of the peace and magis-

Warrant of im-  
prisonment.

No. 27, of 1844.

trate of —, upon the oaths [*or solemn affirmations*] of two credible witnesses with having on the — day of — in the year of our Lord One Thousand Eight Hundred and — [*here state the offence, as in the conviction,*], and him, the said — safely imprison [*or, safely imprison and keep to hard labor*] for the space of two months, unless the said sums shall be sooner paid; when you will bring him again before me in order that he may be discharged by due course of law.

Given under my hand and seal, this — day of —, 18—.

Justice of the Peace.

Information to require surety to keep the peace.

Be it remembered that on the — day of — 18—, — of —, in the district of — came personally before me, — Esquire, magistrate of —, and one of Her Majesty's justices of the peace, and on his oath informeth me that — of —, did on — at — most violently and maliciously declare and threaten — and did also on — [*here state the defendant's threats and acts*]; and that from the above premises he, this complainant, is afraid that the said — will do him some grievous bodily harm; and therefore prays that the said — may be required to find sufficient sureties to keep the peace towards him, this complainant. And this complainant also says, that he doth not make this complaint against, nor require such sureties from, the said — from any hatred, malice, or ill-will, but merely for the preservation of his life and person from injury.

Sworn before me the day and year first above mentioned.

Justice of the Peace.

Warrant to be issued thereon.

To — Nazir of the criminal court of —, and to all darogahs of police, and other peace officers, and others whom this may concern.

Whereas — of —, in the district of —, hath this day made information on oath before me, — Esquire, magistrate of —, and one of Her Majesty's justices of the peace, that — of —, did on — at — [*here set forth the complaint in the past tense, describing the complainant by his name*]; and therefore the said — hath prayed that the said — may be required to find sufficient sureties to keep the peace towards him, the said —. I do, therefore, hereby require and command you to apprehend and bring the said — before me, or any other of Her Majesty's justices of the peace at their office in — aforesaid, to answer the said complaint, and to find sufficient sureties to keep the peace towards all Her Majesty's liege people, and especially towards the said — for such term as shall be then enjoined him, and to be further dealt with according to law.

Given under my hand and seal, the — day of —, 184—.

Justice of the Peace.

Recognizance to keep the peace.

Be it remembered that on the — day of —, 184—, in the — year of the reign of our Fort William } Sovereign Lady Victoria by the Grace of God, of the United Kingdom of  
in Bengal. } Great Britain and Ireland, Defender of the faith, and so forth, — of —, in the district of —, of the same place, and — of the same place, came before me, — Esquire, magistrate of —, and one of the justices of our said Lady the Queen assigned to keep the peace, and acknowledged themselves to be indebted to our said Lady the Queen, in

the sum of — Company's rupees, that is to say, the said — in the sum of — Company's rupees, and the said — in the sum of — Company's rupees, of good and lawful money of Bengal, to be respectively made and levied of their several goods and chattels, lands and tenements, to the use of our said Lady the Queen, her heirs and successors, if the said — shall fail in performing the condition underwritten.

*If the party be bound merely to keep the peace for a specified term, the condition will be thus:* The condition of this recognizance is such, that if the above bounden — shall keep the peace, towards all Her Majesty's liege people, and especially towards — of —, in the said district, for the term of — calendar months now next ensuing, then the said recognizance shall be void and of no effect, otherwise to be and remain in full force and virtue.

*If the party be bound to appear at the sessions, the condition of the recognizance will be thus:* The condition of this recognizance is such that if the said — shall personally appear at the next sessions of oyer and terminer and jail delivery, to be holden in and for the town of Calcutta and factory of Fort William in Bengal, to do and receive what shall be then and there enjoined him by the court, and in the meantime shall keep the peace towards all Her Majesty's liege people, and especially towards the said — of —, in the said district, for the term of — calendar months now next ensuing, then the said recognizance shall be void and of no effect, otherwise to be and remain in full force and virtue.

Acknowledged before me the day and year first above-mentioned.

Justice of the Peace.

To —, Nazir of the criminal court of —, and also to the darogah of the [criminal jail] of —, and others whom this may concern.

Whereas — of —, [*here recite the complaint as in the warrant, ante*]: and whereas the said — was this day brought and appeared before me, — Esquire, magistrate of —, and one of Her Majesty's justices of the peace, at —, to answer the said complaint; and I, the said justice, have ordered and adjudged, and do hereby order and adjudge, that the said — shall enter into his own recognizance in the sum of — rupees, with two sufficient sureties in the sum of — rupees each, to keep the peace towards all Her Majesty's liege people, and particularly towards the said — for the term of — calendar months now next ensuing: and inasmuch as the said — hath refused and still refuses to enter into such recognizance, and to find such sureties as aforesaid, I do hereby require and command you, the said nazir, forthwith to convey the said — to the [criminal jail] of —, and to deliver him to the darogah thereof with this warrant. And I do also require and command you, the said darogah, to receive the said — into your custody in the said [jail], and him there safely to keep for the space of — calendar months, unless he, in the meantime, enter into such recognizance with such sureties as aforesaid, to keep the peace in the manner and for the term above-mentioned. Herein fail not.

Given under my hand and seal the — day of —, 184—.

Justice of the Peace.

The Court deem it proper to intimate to the Magisterial authorities that in the event of its being found necessary to commit a European British subject for trial before the Supreme

Commitment in default of security to keep the peace.

Commitments of European British subjects for trial be-

No. 27, of 1844.

for the Supreme Court, to be supported by direct proof of their amenability to that court.

Court, it will be necessary for the conviction of such person that there be direct proof of his amenability to that court. The mode of proof will consist in the evidence of a credible person, who knows the accused, and his place of birth, or who has heard him declare of what country he is.—*Circular Order, Nizamut Adawlut, No. 197, of 28th February, 1845.*

### No. CLXIII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 28, of 1844.

No. 28.—Dated Monghyr, 26th November, 1844.

Name of a Police officer, dismissed, to be removed from the non-employment list.

I HAVE the honor to direct that you erase from the list of officers not to be again employed in the Police, the name of Shaikh Neamut Allie, late Darogah of Jallah in the district of Tirhoot.

### No. CLXIV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES.

No. 29, of 1844.

No. 29.—Dated Bankipore, 23rd December, 1844.

Applications for vesting assistants with special powers to be made through the Nizamut Adawlut.

I HAVE the honor to acquaint you that you will in future forward applications for vesting your assistants with special powers through the Court of Nizamut Adawlut, and not through this office, the Right Hon'ble the Governor of Bengal, having been pleased to correct so much of the orders of the 28th November, 1837, as relates to the above point.

Vide my Predecessor's Circular No. 80 of 1837, page 4.

### No. CLXV.

TO THE FERRY FUND COMMITTEES IN THE LOWER PROVINCES.

No. 1, of 1845.

No. 1.—Dated 13th February, 1845.

Information required regarding the means of communication in the district and the best mode of improving them, and on the working of the present system.

I AM directed by the Right Hon'ble the Governor of Bengal to request that the Committee will submit at an early date, a report setting forth briefly and distinctly in the first place, the state of the means of communication in your district and the best mode of improving them, and in the second place their opinion of the general working of the present system with suggestions for remedying any defects which may have become apparent during its operation.



CIRCULAR Order, No. 2, of the 28th February, 1845, required letters intended for the Superintendent of Police, Lower Provinces, to be addressed to him at Monghyr. No. 2, of 1845.

## No. CLXVI.

TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 3.—Dated Monghyr, 20th March, 1845.

No. 3, of 1845.

I HAVE the honor to forward to you copy of an extract, paras. 16 and 17 from a dispatch from the Hon'ble the Court of Directors regarding the treatment of Police officers, and particularly to impress upon you, the necessity of attending to the purport of the Hon'ble Court's observations. Instructions of the Court of Directors regarding the treatment of Police officers.

2d. The increase made to the salaries of all Darogahs and the creation of two higher grades, which all, who conduct themselves properly, may reasonably expect to gain, must have a great effect in raising the character of the Police and procuring more respectable persons as candidates for vacant situations; but much of the benefit to be derived from this measure must also depend on the treatment shewn to the officers by their immediate superiors. The Police officers should not be harassed by fines and summonses to appear before the Magistrate on petty or insufficient occasions, errors should be pointed out to them in terms not likely to wound their self-respect, and whilst you check all attempts at oppression or corruption, for which there can be now no excuse, they should be encouraged in the proper performance of their duties by a degree of courtesy and consideration evinced on your part towards all those who may honestly endeavour to carry out the objects of their appointment.

*Extract from a despatch, No. 20, of 1844, from the Hon'ble the Court of Directors, to the Government of India, in the Legislative Department, under date the 21st August.* Court of Directors' Orders, 21st August, 1844, No. 20.

16th. Another reform is pointed out by the Police Committee as essential to the respectability of the character of Darogahs; they observe, measures should likewise be adopted to secure the Thannadars, not only from being removed on insufficient grounds but from ill treatment. It is established by the best evidence that they are often treated by the Magistrates with no consideration, fined inordinately, summoned continually to answer unfounded charges, and removed without sufficient cause to distances where their local experience is lost. The difficulty of procuring respectable

No. 3, of 1845.

and efficient individuals as Police Darogahs has been stated to arise in part from the fear of dismissal from office, or of being disgraced by punishment in cases of trivial misconduct or at the caprice of the Magistrate; and when in addition to this it is considered that they have no adequate pay and no prospect of promotion, it is not very extraordinary the generality of them should be corrupt, and that no persons of any character or respectability offer themselves for the situation.

See C. O. No. C.

17th. We have taken frequent occasion to urge the same point, and we trust that you will omit no favourable opportunity of enforcing it. Heavy fines imposed upon native officers whose allowances are barely, if at all, sufficient for their subsistence, must have the effect of driving them to acts of corruption and extortion; and disregard of their just rights and reasonable feelings by their official superiors must degrade them in their own estimation and in that of the public, and must deter men of respectable character from holding situations in which they are exposed to such hardships and disgrace.

No. 4, of 1845.

**CIRCULAR** Order, No. 4, of the 7th April, 1845, called for a list of Darogahs of the third grade who merited promotion.

## No. CLXVII.

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.

No. 5, of 1845.

No. 5.—Dated Monghyr, 14th April, 1845.

Rules of Nizamut Adawlut, regarding transmission of Moonsiffs' records monthly, not to apply where there is a regular Dak

**W**ITH reference to the Circular Order of the Nizamut Adawlut, No. 192, of the 17th of January last, regarding the transmission by burkundauzes of the monthly returns, &c. from the offices of the Moonsiffs, I have the honor to annex copy of reply, No. 465, of the 28th ultimo, to letter addressed by me to the Court, and to request that you will attend to the contents.

*From B. J. COLVIN, Esq., Register of the Sudder Court, to W. DAMPIER, Esq., Superintendent of Police, Lower Provinces, No. 465, dated 28th March, 1845.*

The Court having had before them your letter No. 408 of the 3rd instant, direct me to state that the Circular you allude to, is not to be acted upon at those Moonsiffce Stations at which there is a Government Dawk for the transmission of letters and parcels.

*Nizamut Adawlut.*

Present: R. H. Rattray, C.  
Tucker, A. Dick, and J. F. M.  
Reid, Esqs., Judges.

The Court call the attention of Magistrates in the Lower Provinces, to a Circular Order addressed this date to the Civil Judges, regarding the practice to be in future pursued by Moonsiffs, and others, in transmitting the records of monthly decisions to the Sudder Station, and request that the Police Darogahs, subject to their control, may be furnished with the requisite instructions for giving effect to the directions therein contained.

No. 5, of 1845.

C. O. Nizt. Adwt.  
No. 192, of 1845.

Police Darogahs are to give effect to the rules issued regarding transmission of Moonsiffs' records monthly to the Sudder Station.

*Circular issued to the Civil Judges, under date the 17th January, 1845.*

The Court are pleased to issue the following remarks and orders, regarding the transmission, by the several subordinate Courts, of the records of monthly decisions to the Sudder Station.

2. By Clause 8, Section 10, Regulation XX. of 1817, Police Darogahs are required to forward, by the Thannah Dawk or by their Burkundazes, as "occasions may offer," papers sent to them by the subordinate Civil Judges for that purpose. On the other hand, the transmission of the records of monthly decisions is directed to be periodically made, and cannot, if the rules prescribed by Circular Order, Sudder Dewanny Adawlut, No. 49, dated 20th September, 1839, are to be enforced, be allowed to depend on the occasional opportunity, which a Police Darogah may think fit, either to improve, or on the other hand to leave unheeded. Independently of this, the Court observe, the increased bulk of the records of the subordinate tribunals, arising from the enlargement of their powers and the consequent accession of judicial business before them, opposes a serious obstacle to the employment of the Thannah Dawk, as a means of conveying them to the Sudder Station.

3. The Court, however, are not disposed to dispense with the attendance of a Police Burkundauze, which is authorized by law, and affords some security for the safe arrival of papers in transit; and they are pleased accordingly, with the permission of Government, to direct that the subordinate judicial officers forward the records of monthly decisions by a specified date, to the nearest Thannah, for transmission to the Sudder Station, taking a receipt from the Darogah, or, in his absence, from the head officer present at the Thannah. The judicial officers will provide the requisite coolies for the conveyance of the records, and indent on the Judge for the expense incurred thereby. It shall be the duty of the Police Darogah to despatch the papers in question without delay to the Sudder Station, under charge of a Burkundauze. A chellau, under the signature of the judicial officer, exhibiting the date of transmission to the Thannah, and the number of misls, will accompany the records, and serve to shew whether there has been any delay on the part of the Police in forwarding them to the Sudder Station.

4. The Judges are requested to determine the period, within which each Moonsiff shall be required to have his records of monthly decisions delivered to the Police Darogah, with due advertence to the necessity of enforcing the provisions of Circular Order, Sudder Dewanny Adawlut, No. 49, dated 20th September, 1839, and with reference to the distance of each receiving Thannah from the Sudder Station.—*Circular Order, Nizamut Adawlut, No. 192, of the 17th January, 1845.*

*Eighth.*—The Police Darogahs and their mohurrirs are required to forward by the Thannah Dak, or by the hands of their Burkundauzes, as occasions may offer, such reports and papers as may be sent to them by the native Commissioners, for the trial of civil suits, for the

Reg. XX. of 1817.  
Darogahs to transmit by dawk or otherwise, reports and

No. 5, of 1845.  
 papers entrusted to  
 them by the native  
 Commissioners.

purpose of transmission to the Judge of the district; and they shall grant receipts to the native Commissioners for such papers as may be delivered to them.—*Clause 8, Section X. Regulation XX. of 1847.*

## No. CLXVIII.

### TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 6, of 1845.

No. 6.—Dated Monghyr, 10th May, 1845.

Directions regarding forms of the monthly and annual criminal statements.

See C. O. Supt. of Police, L. P. No. 6, of the 24th July, 1852, and No. 8 of the 22nd June, 1846.

THE Criminal Statement, No. 1, directed to be furnished monthly by the Magistrates of these provinces to the Court of Nizamut Adawlut, not being fitted for my purposes as it at present stands, I have the honor to request that you will in future furnish me with the monthly and annual statement in the accompanying form No. 1, A.

2. You will perceive that I have merely added columns to the statement prepared by the orders of the Nizamut Adawlut, and omitted all information not required for Police purposes, and I have not interfered with the classification, and this I have done not only to avoid trouble and confusion in your office from the preparation of two sets of forms, but also to obviate incorrect classification of offences under the six heads adopted by me\* in my reports.

3. You will observe that commitments are not to be inserted. The Magistrates' proceedings in such cases can only be considered preliminary, and all parties committed, are to be retained in the statement as pending, until their cases are finally disposed of by the Sessions Judge or the Nizamut. The note in the annual statement will enable me to refer to such cases.

4. This form is merely intended as a pattern, and I have partly filled it up and put notes to it for the purpose of shewing you the mode in which I wish it prepared monthly and annually: of course you will continue to send me information of offences as they occur and of the means adopted by you for the apprehension and conviction of the criminals, and you will also continue to send me the undermentioned monthly and annual statements.

\* See C. O. No. CLXIX.



Monthly and annual comparative statement of crimes according to headings of Superintendent's statement, No. 1 A. (*Annexed.*) No. 6, of 1845.

Return of dismissal of police\* and ministerial officers† required by Circular, No. 1 of 1839.

Monthly return of convictions and acquittals.‡

Annual register of escaped convicts, (No. 1.)§

Register of persons charged with or suspected of specific offences, who may have evaded the pursuit of justice, (No. 3.)||

Return of rewards paid to Zemindars and others, (No. 2§). (*Annexed.*) See C. O. No. CX.

Return of Ferry Collections (Nos. 25 and 26 *annexed*) and of chowkey-daree assessment and expenditure (Nos. 29¶ and 30.\*\*)

Return of security of officers entrusted with the public money, required by Circular, No. 22†† of 1838.

Statement‡‡ of covenanted and uncovenanted officers exercising police control during the year; this should include the Thuggee officers and Deputy Magistrates, but not Principal Sudder Ameens exercising magisterial authority only in the trial of cases referred to them.

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\* Care should be taken in the annual return to exclude those dismissed, but reinstated by me within the year.

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† See page 38, and C. O. No. CXIV.

¶ See page 12.      \*\* See page 13.

‡ See page 119.

†† See page 22.

§ See page 7.

‡‡ See page 24.

|| See page 8.

No. 6, of 1845.

Statement No. 1. A.

Police Statement No. 1 A for the

| 1                     |                                                                   | 2                                                                                    | 3                                     | 4                                                     | 5                  | 6                | 7                                                           | 8                                              | 9                                       |
|-----------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------|--------------------|------------------|-------------------------------------------------------------|------------------------------------------------|-----------------------------------------|
| Crime.                |                                                                   | Number of cases ascertained to have been committed through the Police, or otherwise. | Supposed number of persons concerned. | Number of cases brought to trial including transfers. | Prisoners in jail. | Persons on bail. | Number of persons acquitted by Magistrate and subordinates. | Number of persons acquitted by Sessions Judge. | Number of persons acquitted by Nizamut. |
| 1                     | Murder, { By Thugs <sup>t</sup> .....                             |                                                                                      |                                       | A                                                     |                    |                  |                                                             |                                                |                                         |
| 2                     | { On the River, .....                                             |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 3                     | { Other cases, .....                                              | 5                                                                                    | 7                                     | 6                                                     | 9                  | 0                | 2                                                           | 1                                              | 9                                       |
| 4                     | Wounding with intent to murder, .....                             |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 5                     | Homicide, culpable, .....                                         | 4                                                                                    | 4                                     | 3                                                     | 2                  | 1                | 1                                                           | 1                                              | 0                                       |
| 6                     | { With murder, .....                                              |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 7                     | { With torture, .....                                             |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 8                     | Dacoitee, { With wounding or personal injury, .....               | B                                                                                    |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 9                     | { Unattended with aggravating circumstances, ....                 | 6                                                                                    | 180                                   | 5                                                     | 60                 | 0                | 10                                                          | 14                                             | 0                                       |
| 10                    | River Dacoitee, { With murder, .....                              |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 11                    | { With wounding or personal injury, .....                         |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 12                    | { Unattended with aggravating circumstances, ....                 |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 13                    | Highway robbery, { With murder, .....                             |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 14                    | { With wounding or personal injury, .....                         |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 15                    | { Unattended with aggravating circumstances, ....                 |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 16                    | Burglary, { With murder, .....                                    |                                                                                      |                                       | C                                                     |                    |                  |                                                             |                                                |                                         |
| 17                    | { With wounding or personal injury, .....                         |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 18                    | { Unattended with aggravating circumstances, ....                 | 300                                                                                  | 450                                   | 72                                                    | 134                | 0                | 30                                                          | 2                                              | 0                                       |
| 19                    | { With murder, .....                                              |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 20                    | Theft, .. { Of children for their ornaments, .....                |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 21                    | { With wounding or personal injury, .....                         |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 22                    | { By administering poisonous or stupifying drugs, ..              |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 23                    | { Other cases, .....                                              |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 24                    | Cattle Stealing, { With murder, .....                             |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 25                    | { With wounding or personal injury, .....                         |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 26                    | { Unattended with aggravating circumstances, ....                 |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 27                    | Child Stealing, { For the purpose of selling into slavery, .....  |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 28                    | { For other illegal purposes, .....                               |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 29                    | Receiving stolen or plundered property knowingly, .....           |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 30                    | Importation of slaves and sale or purchase of imported slaves, .. |                                                                                      |                                       | D                                                     |                    |                  |                                                             |                                                |                                         |
| 31                    | Affray, .. { With homicide, .....                                 | 3                                                                                    | 40                                    | 4                                                     | 31                 | 5                | 1                                                           | 0                                              | 0                                       |
| 32                    | { With violent breach of the peace, .....                         | E 1                                                                                  | 30                                    |                                                       |                    |                  |                                                             |                                                |                                         |
| 33                    | Assault with wounding or personal injury, .....                   |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 34                    | Arson, .....                                                      |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 35                    | Forgery or uttering forged documents or papers, .....             |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 36                    | Counterfeiting coin or uttering base coin, .....                  |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 37                    | Perjury or Subornation of Perjury, .....                          |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 38                    | Rape, .....                                                       |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 39                    | Adultery, .....                                                   |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 40                    | Suttee aiding and abetting, .....                                 |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 41                    | Crimes and offences not specified above, .....                    |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| 42                    | Attempts to commit any of the above, .....                        |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| Total, .....          |                                                                   |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |
| Detail of Heading 41. |                                                                   |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |

Commitments are not to be inserted in this statement. The Magistrate's proceedings in such cases can be their cases are finally disposed of by the

for the Superintendent of Police, Lower Provinces.

|                                                             |                                                |                                         |                            |                              |                            |       |          |              |                  | No. 6, of 1845.     |                                                                                                                                      |     |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      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A. |          |  |
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| 10                                                          | 11                                             | 12                                      | 13                         | 14                           | 15                         | 16    | 17       | 18           | 19               | 20                  | 21                                                                                                                                   |     |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |  |  |                     | REMARKS. |  |
| Number of persons convicted by Magistrate and subordinates. | Number of persons convicted by Sessions Judge. | Number of persons convicted by Nizamut. | Number of cases remaining. | Number of prisoners in jail. | Number of persons on bail. | Died. | Escaped. | Transferred. | Property stolen. | Property recovered. |                                                                                                                                      |     |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      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| 0                                                           | 3                                              | 2                                       | 1                          | 1                            |                            |       |          |              |                  |                     | A—One of these cases in which 2 persons were brought to trial occurred in December of the previous year. See Report, No. — of the —. |     |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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         |          |  |
| 0                                                           | 2                                              |                                         |                            |                              |                            |       |          |              |                  |                     |                                                                                                                                      |     |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      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| 0                                                           | 30                                             | 6                                       | 1                          |                              |                            |       |          |              |                  |                     |                                                                                                                                      |     |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      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| 80                                                          | 2                                              | 0                                       | 12                         | 16                           | 4                          | 0     | 0        | 0            | 1200             | 4                   | 0                                                                                                                                    | 325 | 0 | 0 | C—Five of these were pending at the close of the past year.<br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br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considered only preliminary; and all parties committed are to be retained in the statements as pending until Sessions Judge or the Nizamut Adawlut.

No. 6, of 1845.

Attempts.

Statement No. 1. A.

|        | 1 | 2                                                                                    | 3                                     | 4                                                     | 5                  | 6                | 7                                                           | 8                                              | 9                                       | 10                                                          | 11                                             | 12                                      | 13                         | 14                           | 15                         | 16    | 17       | 18           | 19               | 20                  |
|--------|---|--------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------|--------------------|------------------|-------------------------------------------------------------|------------------------------------------------|-----------------------------------------|-------------------------------------------------------------|------------------------------------------------|-----------------------------------------|----------------------------|------------------------------|----------------------------|-------|----------|--------------|------------------|---------------------|
| Crime. |   | Number of cases ascertained to have been committed through the Police, or otherwise. | Supposed number of persons concerned. | Number of cases brought to trial including transfers. | Prisoners in jail. | Persons on bail. | Number of persons acquitted by Magistrate and subordinates. | Number of persons acquitted by Sessions Judge. | Number of persons acquitted by Nizamut. | Number of persons convicted by Magistrate and subordinates. | Number of persons convicted by Sessions Judge. | Number of persons convicted by Nizamut. | Number of cases remaining. | Number of prisoners in jail. | Number of persons on bail. | Died. | Escaped. | Transferred. | Property stolen. | Property recovered. |
| Total, |   |                                                                                      |                                       |                                                       |                    |                  |                                                             |                                                |                                         |                                                             |                                                |                                         |                            |                              |                            |       |          |              |                  |                     |

Annual note of cases committed still pending before Superior Court and Nizamut [to be inserted at the foot of this statement].

Statement No. 1. *Number apprehended during* \_\_\_\_\_ *or attending on Summons, as per columns 5 and 6, part 1.*

| By the Police Officers. | By the Magistrate and his subordinates. | Total. |
|-------------------------|-----------------------------------------|--------|
|                         |                                         |        |

Statement No. 1.  
A., Part III.

*Number of Persons apprehended, sent in or released by the Police.*

1. Total number of persons apprehended, .....
2. Sent in by order of the Magistrate issued in consequence of the Police officers' report,...
3. Sent in by the Police officers on their own authority, .....
4. Released on bail, .....
5. Pending investigation at the Thannah,.....

Total, .....

Note.  
See C. O. No. XL.

## NOTE.

|                                  | Persons apprehended. | Released. | Punished. | Pending. | REMARKS. |
|----------------------------------|----------------------|-----------|-----------|----------|----------|
| Summoned by the Magistrate, ..   |                      |           |           |          |          |
| Sent by the Police Darogah, .... |                      |           |           |          |          |
| Total, .....                     |                      |           |           |          |          |



PART IV.—*Details of columns 7 to 13.*

No. 6, of 1845.

Statement No. 1 A  
part IV.

|                                             | 1            | 2          |
|---------------------------------------------|--------------|------------|
|                                             | Disposed of. |            |
|                                             | Cases.       | Prisoners. |
| Magistrate,.....                            |              |            |
| Joint Magistrate, .....                     |              |            |
| Assistant or Deputy Magistrate, .....       |              |            |
| Principal Sudder Ameen, .....               |              |            |
| Sudder Ameen, .....                         |              |            |
| Law Officer not being a Sudder Ameen, ..... |              |            |
| Total, .....                                |              |            |

MEMORANDUM.

Memorandum.  
See C. O. No. XL.

|                 | Number. | Enquired into at the requisition of the persons robbed. | Enquired into by order of the Magistrate. | Not enquired into under Regulation II. of 1832. |
|-----------------|---------|---------------------------------------------------------|-------------------------------------------|-------------------------------------------------|
| Theft, .....    |         |                                                         |                                           |                                                 |
| Burglary, ..... |         |                                                         |                                           |                                                 |
| Total, .....    |         |                                                         |                                           |                                                 |

No. 6, of 1845.

*Monthly and Annual.*

Comparative Statement.

Comparative Statement of Heinous Crimes committed in the District of \_\_\_\_\_ in the month of \_\_\_\_\_ 184—, and of the corresponding month in the preceding year.

| Description of Crimes. |                                                                       | In<br>184—. | In<br>184—. | Increase. | Decrease. |
|------------------------|-----------------------------------------------------------------------|-------------|-------------|-----------|-----------|
| 1                      | Murder, .....                                                         |             |             |           |           |
| 2                      | { By Thugs, .....                                                     |             |             |           |           |
| 3                      | { On the river, .....                                                 |             |             |           |           |
| 4                      | { Other cases, .....                                                  |             |             |           |           |
| 5                      | Wounding with intent to murder, .....                                 |             |             |           |           |
| 6                      | Homicide, culpable, .....                                             |             |             |           |           |
| 7                      | Dacoitee, .....                                                       |             |             |           |           |
| 8                      | { With murder, .....                                                  |             |             |           |           |
| 9                      | { With torture, .....                                                 |             |             |           |           |
| 10                     | { With wounding or personal injury, .....                             |             |             |           |           |
| 11                     | { Unattended with aggravating circumstances, .....                    |             |             |           |           |
| 12                     | River Dacoitee, ..                                                    |             |             |           |           |
| 13                     | { With murder, .....                                                  |             |             |           |           |
| 14                     | { With wounding or personal injury, .....                             |             |             |           |           |
| 15                     | { Unattended with aggravating circumstances, .....                    |             |             |           |           |
| 16                     | Highway robbery, ..                                                   |             |             |           |           |
| 17                     | { With murder, .....                                                  |             |             |           |           |
| 18                     | { With wounding or personal injury, .....                             |             |             |           |           |
| 19                     | { Unattended with aggravating circumstances, .....                    |             |             |           |           |
| 20                     | Burglary, .....                                                       |             |             |           |           |
| 21                     | { With murder, .....                                                  |             |             |           |           |
| 22                     | { With murder of children for their ornaments, .....                  |             |             |           |           |
| 23                     | { With wounding or personal injury, .....                             |             |             |           |           |
| 24                     | { By administering poisonous or stupefying drugs, ..                  |             |             |           |           |
| 25                     | { Other cases, .....                                                  |             |             |           |           |
| 26                     | { With murder, .....                                                  |             |             |           |           |
| 27                     | { With wounding or personal injury, .....                             |             |             |           |           |
| 28                     | { Unattended with aggravating circumstances, .....                    |             |             |           |           |
| 29                     | Child-stealing, ..                                                    |             |             |           |           |
| 30                     | { For the purpose of selling into slavery, .....                      |             |             |           |           |
| 31                     | { For other illegal purposes, .....                                   |             |             |           |           |
| 32                     | Receiving stolen or plundered property knowingly, .....               |             |             |           |           |
| 33                     | Importation of slaves, and sale or purchase of imported slaves, ..... |             |             |           |           |
| 34                     | Affray, .....                                                         |             |             |           |           |
| 35                     | { With homicide, .....                                                |             |             |           |           |
| 36                     | { With violent breach of the peace, .....                             |             |             |           |           |
| 37                     | Assaults with wounding or personal injury, .....                      |             |             |           |           |
| 38                     | Arson, .....                                                          |             |             |           |           |
| 39                     | Forgery or uttering forged documents or papers, .....                 |             |             |           |           |
| 40                     | Counterfeiting Coin or uttering base Coin, .....                      |             |             |           |           |
| 41                     | Perjury or subornation of Perjury, .....                              |             |             |           |           |
| 42                     | Rape, .....                                                           |             |             |           |           |
|                        | Adultery, .....                                                       |             |             |           |           |
|                        | Suttee, aiding and abetting, .....                                    |             |             |           |           |
|                        | Crimes and offences not specified above, .....                        |             |             |           |           |
|                        | Attempts to commit any of the above, .....                            |             |             |           |           |
|                        | Total, .....                                                          |             |             |           |           |

*See Circular Order, Superintendent of Police, Lower Provinces, No. 26 of 22nd June, 1838.*

No. 28.—*Zumeendars, Police, Jail and other Officers, and all other persons rewarded in matters relative to Police in Zillah ————, during the year 184—.*

No. 6, of 1845.

Statement No. 28.

| 1   | 2                                      | 3                 | 4                                                                        | 5                                         | 6               | 7        |
|-----|----------------------------------------|-------------------|--------------------------------------------------------------------------|-------------------------------------------|-----------------|----------|
| No. | Names of the person and of his Father. | Family Residence. | Office, if a public Officer; if not, his situation in life may be noted. | Nature of reward and amount if pecuniary. | Cause and date. | Remarks. |
|     |                                        |                   |                                                                          |                                           |                 |          |

No. 25.—*Annual Cash Account of Ferry Collections of Zillah ———, for 184—.*

*Cr.*

Statement No. 25.

[illegible]





**C**IRCULAR Order No. 7 of the 19th May, 1845, circulated a list of police officers “who have been excluded from the force for disqualifying offences” and who are not to be re-admitted without the sanction of the Superintendent of Police, Lower Provinces. No. 7, of 1845.

## No. CLXIX.

### TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 8.—Dated Monghyr, 14th June, 1845.

No. 8, of 1845.

**I**N addition to my Circular No. 14 of 1844, regarding vagrants, pseudo mendicants and others, I beg to call your attention to the simple precautionary rules laid down in Clause 8, and the following clauses of Section 20, Regulation XX. of 1817, and Section 7, Regulation III. of 1821. You will notify to your police officers, that in any cases where they do not act in accordance with these rules, and bodies of suspicious characters may be ascertained to have entered these provinces or moved about their jurisdictions without their noticing them, they will be liable to severe punishment.

Directing attention to rules regarding treatment of mendicants.

See C. O. No. 8 dated 8th September, 1851.

*Eighth.*—It shall be the duty of the Darogahs of Police to apprehend all vagrants and suspicious persons, of whatever denomination, wandering about the country in parties, or lurking about individually, without any fixed place of abode; or who, though resident in a particular place, may have no ostensible means of honest livelihood, and who, on examination, may be unable to give a satisfactory account of themselves.

Reg. XX. of 1817, Section XX.

Darogahs shall apprehend all vagrants.

*Ninth.*—Police Darogahs receiving information of the resort of persons of the description specified in the preceding Clause, shall, previous to their apprehension, make such summary inquiry, as the nature of the case may admit, without risk to their escape; and in the event of strong suspicion attaching to them, shall secure their persons, and unless on examination, without oath, respecting their names, connexions, place of residence, occupation, and means of livelihood, they can render a satisfactory account of themselves, shall forward them forthwith to the Magistrate, together with a report of the circumstances under which they may have been arrested, and of the inquiry made.

On receiving information of their resorts, care to be used in their apprehension and examination.

*Tenth.*—In cases where the names of the vagrants or other suspicious persons cannot be ascertained, it shall be competent to the Police Darogah to apprehend such persons without a specific warrant, and in the event of any number of persons of this description being in sufficient force to resist the officers of the Thannah, the Darogah shall require the aid of the local zemindar, or other landholder or farmer, or of the Police officers of the adjacent Thannah, or shall apply for assistance from the Sudder Station, according to the exigency of the case.

When names are not known, Darogah may apprehend without a specific warrant; when large bodies of vagrants are assembled, he shall apply for assistance to certain authorities.

## No. 8, of 1845.

## Reg. XX. of 1817.

In what cases the Darogah empowered to admit such persons to bail and to wait the Magistrate's orders.

Darogahs enjoined to be careful in the execution of this duty.

## Regn. III. of 1821.

Rules for preventing subjects of foreign states entering the British territories under fictitious characters for unlawful purposes.

Darogahs empowered to detain such persons, and unless they receive a satisfactory account may either report or send them to the Magistrates.

Darogahs how to proceed in cases when suspicion only attaches to such persons although no sufficient cause for their detention exist.

Rules for the guidance of Magistrates in the disposal of persons sent in by the Darogahs.

*Eleventh.*—After the apprehension and examination of the persons suspected, should the information, upon which the Police Darogah acted, prove to be incorrect, and no sufficient reason appear for sending them to the Magistrate, the Darogah shall admit the parties to bail, if they are able to furnish sufficient security; and shall report the circumstances to the Magistrate, without sending them to the Sudder Station, till the receipt of an order to that effect.

*Twelfth.*—In enforcing the provisions contained in the preceding rules, the Darogah and other officers of Police, and the village watchmen, shall be careful not to confound strangers coming from the adjacent districts or countries, for the evident purpose of cultivating land or exercising their several professions, with vagrants or other suspected persons. On the contrary, the Darogahs shall afford all due and reasonable encouragement to persons coming of their own accord into their respective limits, who may be desirous of settling therein from such industrious motives; the Police officers will nevertheless keep a watchful eye over such persons, so long as it may appear necessary, and the Darogahs will invariably report to the Magistrate every instance, that may come to their knowledge, of an accession of this nature to the population of their respective divisions.—*Regulation XX of 1817, Section XX.*

*First.*—Whereas persons being the subjects of foreign states, and assuming the fictitious characters of Rajahs or of natives of distinction, or of pilgrims, have frequently entered into the British territories, or have assembled together in armed bodies, for the purpose of committing robberies or other crimes within those territories, the following rules have been enacted, with a view to prevent the recurrence of those practices.

*Second.*—In addition to the powers vested in Darogahs of Police, by the several clauses of Section 20, Regulation XX. 1817, with regard to the apprehension of all vagrants and suspicious persons, they are hereby empowered to detain all persons travelling in bodies through their jurisdictions, or assembling therein under circumstances leading to the suspicion that they have assumed a fictitious character, and that they are in reality persons of the description mentioned in the preceding clause; and unless on examination they shall be able to give a satisfactory account of themselves, the Darogahs shall, without delay, either report to the Magistrates the circumstances under which they may have been detained, or in cases of an emergent nature, shall forward such individuals to the Magistrates.

*Third.*—If a Darogah of Police, acting under the discretion vested in him by the preceding clause, shall not see sufficient cause, after the examination of the persons suspected, to send them to the Magistrate, or to detain them until the orders of the Magistrate shall be received, but shall nevertheless entertain suspicions of their real character and intentions, he shall depute one or more Police officers to watch their proceedings in passing through his jurisdiction, and shall notify the same to the adjoining police division, in order that the same precautions may be adopted and followed up.

*Fourth.*—If a Darogah of Police shall forward to the Magistrate any persons travelling through, or assembling in his division, under suspicious circumstances, the Magistrate having duly inquired into the grounds of their arrest, shall either release them, or adopt the precautionary measures directed in the preceding clause, or, if they appear to be travelling without any reasonable object, and to be inhabitants of a remote district, or subjects of a foreign state, he shall compel them to return, under a suitable guard, from station to station, to the district or territory from which they may appear to have proceeded.

*Fifth.*—The principal persons residing in villages, whether landholders or farmers, or other local managers, or Munduls, Putwarees, or other heads of villages, and also Chowkeydars and village guards of every description, are hereby declared responsible for the early and punctual communication to the officers of the nearest Police Station, of the resort to, or passage through their villages, of any considerable body of strangers, or of the assemblage of such bodies within the limits of their villages, together with any particulars which they may be able to collect as to the alleged object of their assemblage, or journey, or any suspicion which may arise as to their real character and intentions. Any landholder or farmer or other local manager, or Mundul, Putwaree, or other heads of villages, who shall wilfully neglect or delay to give the information above required, shall, on proof of such neglect, after an inquiry similar to that directed by *Section 13, Regulation IX. 1808*, be sentenced to pay a fine, or to suffer imprisonment not exceeding the limitation therein specified; and any Chowkeydar, or other village guard, who may be guilty of such neglect, shall be liable to the punishment which the Magistrates are authorized to inflict under the provisions of *Section 6, Regulation III. 1812.\**—*Regulation III. of 1821, Section VII.*

\* See Beaufort, Art 1640 and foot note, page 237, first edition.

## No. CLXX.

### TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 9.—Dated Monghyr, 8th August, 1845.

I HAVE the honor to forward for your information and guidance copy of a letter from Mr. Under-Secretary Turnbull, No. 1307, dated the 9th ultimo, and of its enclosures, exempting all Government officers from the payment of Ferry Tolls when moving on the public service.

*From A. TURNBULL, Esq., Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq., Superintendent of Police, Lower Provinces, No. 1307, dated 9th July, 1845.*

I am directed to forward for communication to the officers subordinate to you, the accompanying copy of a letter, No. 459 of the 28th ultimo, from the Under-Secretary to the Government of India in the Home Department, exempting all Government officers from the payment of Ferry Tolls when proceeding on the public service.

*From P. MELVILL, Esq., Under-Secretary to the Government of India, to A. TURNBULL, Esq., Under-Secretary to the Government of Bengal, No. 459, dated 28th June, 1845.*

I am directed to acknowledge the receipt of your letter No. 981, dated the 28th ultimo with its enclosure, and in reply to state, for the information of the Right Hon'ble the Governor of Bengal, that the Governor General

No. 8, of 1845.

Reg. III. of 1821.

Landholders and others declared responsible for an early communication of the resort to their villages of suspicious persons.

Penalty to which they are declared liable, should they omit giving the required information.

This Regulation is repealed by Act IV. of 1844.

Punishment to which Chowkeydars are declared liable in case of neglect of duty.

No. 9, of 1845.

Officers who are exempted from payment of Ferry Tolls.

Judicial.

G. O. 28th June, 1845, No. 459.



No. 9, of 1845.

See C. O. Bd. of  
Rev. No. 23 of 17th  
Sept. 1853.

in Council approves of the proposition submitted by Mr. Dampier, Superintendent of Police, Lower Provinces, and authorizes that all officers of Government be exempted from the payment of Ferry Tolls within the Divisions to which they may belong when they are moving in those Divisions on the public service, and any officer not entitled to exemption under this definition of the Rule, who may prefer a claim to exemption based on the principle which the Rule is intended to establish, will refer his claim for special consideration and orders to the Department to which he belongs.

## No. CLXXI.

### TO THE MAGISTRATES, AND JOINT MAGISTRATES, AND THUGGEE ASSISTANTS, LOWER PROVINCES.

No. 10, of 1845.

No. 10.—Dated Monghyr, 11th August, 1845.

Travelling allowance of ministerial officers.

\* See C. O. No. LX.

I HAVE the honor to forward for your information and guidance copy of a letter, dated the 30th ultimo, No. 1511, to my address from Mr. Under-Secretary Turnbull, modifying the orders of the 29th\* August, 1839, regarding travelling allowances to ministerial officers.

*From A. TURNBULL, Esq. Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 1511, dated 30th July, 1845.*

Judicial.

I am directed to inform you for communication to the officers subordinate to you, that the Government have been pleased, in modification of the orders of 29th August, 1839, to authorize travelling allowance to ministerial officers, when required to accompany their superiors by Dawk, at the rate of 4 annas per mile, and during halts at the rate authorized by the above orders, viz. 3-10th of their respective salaries. In other respects the orders of 1839 are to continue in force.

C. O. Board of Rev.  
No. 6 of 1843.

Travelling allowance to Chupprassees and other servants whose pay is less than 6 Rs.

In continuation of Circular Order No. 25, dated the 18th September, 1839, I am directed by the Sudder Board of Revenue to transmit for your information and guidance, the accompanying copy of the orders of Government, No. 1493, dated the 3rd November, 1840, regarding the scale on which travelling allowance to Chupprassees and other servants receiving a salary less than six rupees per mensem, is to be calculated.

*Extract from the Proceedings of the Right Hon'ble the Governor of Bengal, in the Revenue Department, under date the 30th November, 1840.*

G. O. 3rd Nov.  
1840, No. 1493.

ORDERED, that the Sudder Board of Revenue be informed, that the scale of travelling allowance for Amlah, passed on the 29th August, 1839, Oo. 1246, is also applicable to the case of Chupprassees and other servants receiving a salary of less than six rupees per mensem.

*Circular Order, Sudder Board of Revenue, No. 6 of the 26th May, 1843.*



**No. CLXXII.****TO THE MAGISTRATES, AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.**

No. 11.—Dated Monghyr, 11th August, 1845.

I HAVE the honor to acquaint you that a new Commission of the Peace has been issued from the Supreme Court comprising all the Covenanted Civil officers employed under this Government, so that if you are not already qualified to act as a Justice of the Peace, under Section 2, Act XVI. of 1841, I request that you will qualify yourself under Section 1 of that law.

No. 11, of 1845.

Officers whose names are in the commission of the peace to qualify for it.

See C. O. No. LXXVII.

I. Whereas inconvenience has arisen in consequence of, pursuing the course heretofore deemed necessary for taking of oaths by Justices of the Peace, in order that they may be duly qualified to act under Commissions of the Peace; It is hereby enacted, that all persons who are or shall be nominated and appointed in any Commission of the Peace, shall be capable of acting as Justices of the Peace in every respect, according to the tenor of such commission, upon taking and subscribing in any Civil or Criminal Court of Justice within the places in and for which any such commission shall have issued before the officer presiding in such court, whether such officer be a Justice of the Peace or not, the oaths appointed to be taken by Justices of the Peace; and the subscription of such persons to the said oaths shall be deposited and kept with the records of the courts of justice in which the said oaths shall have been administered.

Act XVI. of 1841.

All persons in any Commission of the Peace may act as Justices of the Peace in every respect according to the tenor of the Commission, upon taking and subscribing in any Civil or Criminal Court within, &c. the appointed oaths.

II. And it is hereby enacted, that every Justice of the Peace who, before the passing of this Act, shall have had administered to him the oaths of qualification by any other Justice of the Peace, shall be deemed to have been duly qualified to act as a Justice of the Peace from the time of taking such oath, and shall continue so qualified notwithstanding such oath may not have been taken in a court of Justice as required by any previous law, or by this Act.

Justice of the Peace who has had oath of qualification administered to him by other Justice of the Peace shall be deemed qualified.

—Act XVI. of 1841.

See C. O. Supdt. of Pol. L. P. No. 14, of the 14th December, 1850.

**No. CLXXIII.****TO THE MAGISTRATES, AND JOINT MAGISTRATES, LOWER  
PROVINCES.**

No. 12.—Dated Monghyr, 16th September, 1845.

I HAVE the honor to annex for your information and guidance copy of an extract from the proceedings of the Right Hon'ble the Governor of Bengal, No. 2291 of the 3rd instant, in regard to the deposit of the securities of public officers of all grades in the General Treasury.

No. 12, of 1845.

Rules for endorsement and safe custody of securities of public officers.

See C. O. No. XXVIII.

No. 12, of 1845. **EXTRACT FROM THE PROCEEDINGS OF THE RIGHT HON'BLE THE GOVERNOR OF BENGAL UNDER DATE THE 3RD SEPTEMBER, 1845, NO. 2291.**

**EXTRACT FROM THE PROCEEDINGS OF THE RIGHT HON'BLE THE GOVERNOR-GENERAL OF INDIA IN COUNCIL IN THE FINANCIAL DEPARTMENT UNDER DATE THE 26TH JULY, 1845, NO. 1401.**

G. O. 26th July, 1845. *From J. A. DORIN, Esq. Secretary to the Government of India in the Financial Department, to G. UDNY, Esq. Sub-Treasurer, No. 1399, dated Council Chamber, the 26th July, 1845.*

Financial Department.

I have the honor to acknowledge the receipt of your letter, No. 96, dated the 17th instant, giving cover to a copy of correspondence between the Collector of Sea Customs in Calcutta and yourself, on a proposition made to you by the Collector to receive into deposit in the General Treasury, the securities for the subordinate officers of the Custom House.

2nd. In reply, I am directed to inform you that the Governor-General in Council is not prepared to admit of any distinction between securities granted to the Government direct by heads of offices, and securities made over to heads of offices by their subordinate officers as guarantee for the due performance of their official duties; in either case the security is equally pledged to the Government, whether directly or indirectly, for the efficiency of the public service, and the Government being liable to the pledger for the safety of his deposit, if made in public securities, is equally interested in ensuring that these securities shall be in safe custody, and shall not be liable to loss or misappropriation.

3rd. It is obvious that a promissory note of the public debt, endorsed into the name of a public officer by his subordinate and lodged with him, is not, as regards the Government, so absolutely safe as it would be, if, continuing in the name of the superior public officer, it was lodged in the hands of a third party responsible for its safe custody to the Government, but having no power whatever over its disposal by endorsement. It is moreover more convenient that securities pledged to the Government should be collected together in one office at the Presidency, than spread over the country without any sufficient check over their genuineness and the regularity of their endorsements.

4th. In this view of the case the Governor-General in Council is of opinion, that as a general rule, all public securities lodged with the Government or with Government officers as guarantee for the due performance of official duties, ought to be deposited for safe custody with the Sub-Treasurer of the General Treasury; that deposits made by heads of offices direct to the Government should be endorsed over to the Secretary to the Government in the department concerned; and that deposits made by subordinate officers should be endorsed over to the official head of the department or office concerned, and that being lodged in the General Treasury thus endorsed, such securities should be returnable only under an official order from the Secretary to the Government in the Department to which the depositor belongs.

5th. Under these circumstances it will of course be necessary, if with the permission of Government the parties should so desire it, that you should draw the interest accruing on the securities in your custody, and pay it over to the officer concerned, in cash, if in Calcutta, or by bill on the Revenue Treasury of the district, if the deposit is for the due performance of duty in the Mofussil.

6th. In this general rule it is not intended to include securities deposited with public officers for revenue or judicial purposes, or for the performance of any ordinary contract for supplies, as such securities are necessarily returnable at uncertain periods on the completion of the contract or obligation, and would be inconveniently encumbered by forms which are sufficiently applicable to a comparatively permanent deposit, for the faithful discharge of public duty, and for security against loss of Government property.

*See Circular Order Board of Revenue, No. 19, of the 22nd September, 1845.*

With reference to Circular Order No. 19, dated the 22nd September last, I am directed by the Sudder Board of Revenue to intimate for your information, and for communication to the authorities subordinate to you, that the Sub-Treasurer has been empowered by Government to act on the requisitions of public officers, without the special intervention of Government, in drawing interest on Government Promissory Notes, deposited by them in the General Treasury as security for the performance of official duties by their subordinates.—*Circular Order, Board of Revenue No. 13, of the 22nd May, 1846.*

No. 12, of 1845.

G. O. 26th July, 1845.

C. O. Bd. of R. No. 13 of 1846.

Interest on Govt. Pro. Notes deposited in General Treasury as security, will be drawn by Sub-Treasurer on requisition of public officers.

## No. CLXXIV.

### TO THE MAGISTRATES, AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 13.—Dated Monghyr, 14th October, 1845.

No. 13, of 1845.

I HAVE the honor to acquaint you, that I have been authorized by the Government to exercise a discretionary power in altering the scale of establishment sanctioned for Deputy Magistrates and Assistants in charge of sub-divisions, laid down in the orders of the 27th February last, provided that the aggregate amount of each establishment does not exceed 90 rupees per mensem.

Establishments of Deputy Magistrates and Assistants.

See C. O. No. CLXXV.

2. Should your Deputy Magistrate, or any officer who may be hereafter nominated to the charge of a sub-division, require any departure from the scale above referred to, he will submit his proposed alterations through your office for my sanction.

*See Rules relating to Deputy Magistrates, in the Appendix.*



No. 14, of 1845.

CIRCULAR Order No. 14 of the 16th October, 1845, intimated the intention of the Superintendent of Police, Lower Provinces, to make a tour of the south-western districts of Bengal, and contained directions for sending letters to his address while on the tour.

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No. 15, of 1845.

CIRCULAR Order No. 15 of the 20th October, 1845, contains instructions regarding the form in which the Superintendent of Police desired recommendations for the promotion of Darogahs to be made to him. These instructions and the form have been superseded by the orders of Government, dated 17th February, 1854, quoted at pages 115 to 117.

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## No. CLXXV.

TO THE MAGISTRATES, AND JOINT MAGISTRATES, IN THE  
LOWER PROVINCES.

No. 16, of 1845.

No. 16.—Dated on the river, 20th November, 1845.

Instructions regarding forms of annual statement.

I HAVE the honor to request that you will forward me your annual statements, as early as practicable after the close of the year, (which can easily be done, if the statements are made up now to the close of November,) as the time for the transmission of my report has been limited by the Government, and it will be necessary for me to notice any delay in the submission of the necessary statements by you.

2. As the new forms may occasion some trouble, I beg to acquaint you that the cases and persons pending trial at the close of the last year should be submitted in a supplementary statement, but that all persons arrested during the year 1845, for offences perpetrated at any former period must be entered in column 4 of statement No. 1 A, and accounted for in the other columns, a note being given as to the cases in which they were arrested, as shewn in the form which accompanied my Circular\* No. 6 of the 10th May last.

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\* No CLXVIII.



**No. CLXXVI.**

TO THE SESSIONS JUDGES, LOWER PROVINCES.

No. 17.—Dated on the river, 20th November, 1845.

No. 17, of 1845.

THE Government having fixed the period within which I am to furnish my annual report, I have the honor to request that you will be kind enough to furnish me with the statements of convictions and acquittals in the cases committed to you for trial, as soon as possible after the close of the year. I do not require the detailed remarks forwarded by you to the Court of Nizamut Adawlut, excepting in cases where you may be of opinion that the Magistrates or the Police officers have not exerted themselves, or have acted wrong in the conduct of the preliminary proceedings. All I want in the other cases are the names of the parties, the crimes with which they stood charged, and the result of the trials.

Requesting the early submission of the statements of convictions and acquittals.

**No. CLXXVII.**

TO THE MAGISTRATES, AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 18.—Dated on the river, Rampore Bauleah, 22nd November, 1845.

No. 18, of 1845.

HAVING brought to the notice of the Hon'ble the Deputy Governor of Bengal, that some Magistrates called for security from their Police Darogahs, under Section 6, Regulation XXII. of 1793, and that I considered such a proceeding inexpedient, I am directed to acquaint you that his Honor concurs with me in opinion, and you are requested not to put in force the provisions of the Section above referred to.

Security not to be taken from Police Darogahs.

VI. The Magistrates are to nominate the Darogahs in the first instance, and to fill up all future vacancies. They will in consequence be held responsible for selecting persons duly qualified for the trust. But no Darogah is to be removed from his office, except upon proof of incapacity or misconduct to the satisfaction of the Governor-General in Council, and no person is to be appointed a Darogah without giving security for his appearance in the amount of one thousand rupees, himself in five hundred, and two responsible persons in two hundred and fifty each. Whenever the Magistrates shall deem any Darogah disqualified for his station, either from incapacity, misconduct, or other cause, they are empowered to suspend him, and to appoint a person to officiate pro-tempore in his room, reporting immediately the grounds of his suspension to the Governor-General in Council, who will determine whether he shall be removed or continue in his office.—*Regulation XXII. of 1793, Section VI.*

Regn. XXII. of 1793.

Magistrates to appoint the Darogahs.

Who are not to be removed but for incapacity or misconduct, proved to the satisfaction of Govt.

Security required to qualify a person for the office of Darogah.

## No. CLXXVIII.

TO THE MAGISTRATES, AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 1, of 1846.

No. 1.—Dated Tipperah, 2nd January, 1846.

Countersignature  
by Civil Officers of  
plans and other do-  
cuments relating  
to public works.

I HAVE the honor to forward for your information and guidance, copy of a letter No. 2207, of the 17th ultimo, from Mr. Under-Secretary Turnbull, to the address of the Military Board.

G. O. 17th Decem-  
ber, 1845, No. 2207.

*From A. TURNBULL, Esq. Under-Secretary to the Government of Bengal, to the  
Military Board, No. 2207, dated 17th December, 1845.*

Judicial.

It was deemed advisable to invite the opinions of the civil authorities before coming to a final determination in regard to Lieutenant-Colonel Garstin's suggestion for amending the existing system of countersignature by civil officers of plans and other documents relating to public works, and I am now directed by the Deputy Governor of Bengal to state for the information of your Board, that the majority of the officers so consulted concur in the view expressed in your letter No. 8213, of the 18th April last, as to the expediency of allowing such officers an opportunity of offering remarks regarding public works connected with their respective departments.

2nd. Such a check, his Honor doubts not is useful especially in regard to works executed at stations seldom visited by the Executive Engineers. Adverting, however, to the misapprehension so generally prevalent among civil officers in regard to the object of countersignatures, (which are deemed by some as implying a tacit approbation or confirmation of the statements contained in the documents to which they are affixed,) his Honor desires that the present mode of obtaining such attestations be discontinued and that a separate heading be introduced in all documents requiring countersignature for the remarks, if any, of civil functionaries, and when they have none to make, for the simple record of the fact. But whether any observations are recorded by civil officers or not, they will be given to understand distinctly, that no papers are to be unnecessarily detained by them, and for the purpose of ascertaining upon whom the blame of delay may rest, the Executive Engineers should be required invariably to note the dates of despatch, and civil officers those of receipt and return.

3rd. Orders to this effect will be issued to the heads of Departments under this Government, and your Board are requested to address corresponding instructions to the Executive Engineers within the same circle.

Civ. Orders, Mily.  
Board

I am directed by the Military Board to annex copy of a letter No. 2207, dated the 17th current, from Mr. Under-Secretary Turnbull, and to request your particular attention, and that of all executive officers in your circle, to the instructions laid down therein for the general guidance of the Department of public works.

2nd. The Board request that whenever papers to be submitted for the countersignature of civil authorities, are prepared in a tabular form, a column be invariably inserted under the head of "Remarks by the civil authority." In the case of bills and estimates, and such papers, it will be necessary to indicate the place for such remark by writing in distinct characters in the proper place "Remark by the civil authority" leaving below ample space for the same.—*Circular Order Military Board, No. 193, dated 30th December, 1845.*

No. 1, of 1846.

C. O. Mily. Bd.

Under orders from Government dated the 6th instant, the bills of Engineer officers employed in the survey of Cantonments, are to be submitted to Superintending Engineers, through executive officers of Divisions by whom they are to be countersigned, the bills will afterwards be forwarded to the Military Board's Office for audit, with the additional countersignature of the Superintending Engineer.

*Secretary to Government, Revenue Department, dated 28th April, 1835.*

With reference to the orders issued by the Military Board to executive officers of public works, requiring them to obtain the countersignature of civil officers to plans and estimates, I am directed by the Vice-President in Council to acquaint you, that the object is to satisfy the superintending officers, the Military Board, and the Government, that the civil officers have had an opportunity of recording any remarks or objections, which, after examination of those documents, may appear to them necessary for the information of the controlling authorities, with a view to prevent as far as may be within their power all unnecessary expenditure.

G. O. 28th April, 1835.

*Circular Order, Military Board, No. 1776, 21st July, 1835.*

The practice of writing on the back of each paper to which the countersignature of a civil officer is required, the date of transmission for such countersignature and of the return of the paper countersigned to the executive officer, being attended with advantage, will be generally adopted throughout the Department.—*Circular Order Military Board, No. 42, dated 10th March, 1842.*

In continuation of this office Circular, No. 193, of the 30th December, 1845, I am directed by the Military Board to state, in modification of the instructions therein laid down for the general guidance of the Department Public Works, that it is not considered necessary that the countersignature of the civil authorities should be required to bills or estimates.

2nd. These documents may therefore be submitted without the usual attestation of the civil officers, which are only required to survey reports, completion survey reports, and annual returns of buildings, in which columns are left for "remarks by the civil authority."

3rd. Their countersignatures should also be obtained to all plans for civil buildings.—*Circular Order, Military Board, No. 365, dated 20th July, 1849.*

In continuation of their Circular No. 365, dated 20th July, 1849, the Military Board, under orders from Government, communicated in Mr. Under-Secretary Dalrymple's letter\* No. 2261, dated 27th October, 1851, request that executive officers be instructed, upon all occasions of preparing estimates for new public buildings in the Civil Department, to consult the Commissioner (being the highest local civil authority) as well as the officer for whom the proposed building may be intended.

\* Para. 3, appended.



No. 1, of 1846.

C. O. Mily. Bd.

2nd. Plans that are approved will in all cases bear the countersignature of the Commissioner as well as of the civil officer immediately concerned.—*Circular Order, Military Board No. 508, 24th January, 1852.*

G. O. 26th Oct., 1851, No. 2261. *Extract from a letter, No. 2261, dated 26th October, 1851, from J. W. DALRYMPLE, Esq., Under-Secretary to the Government of Bengal, to the Military Board.*

Para. 3. "The observations made in the last para. of that letter appear to his Honor to be deserving of every attention. The Commissioner of the Division being the highest local civil authority, should be consulted, together with the officer for whom the proposed building may be intended, by the Executive officers and by your Board, upon all occasions of the contemplated creation of any new public office at any Civil Station, and it is the Deputy Governor's desire that this practice may be henceforward adopted."

G. O. 4th January, 1853, No. 77. *Extract from a letter No. 77, of the 4th January, 1853, from W. Gordon Young, Esq., Under-Secretary to the Government of Bengal, to the Military Board.*

Judicial.

Para 2. Some stress is laid on the circumstance that ——— (*the Commissioner*) signed the usual completion report without remark, and that he did not report on the state of the building until nearly two years after it was finished. But signing the completion report, means nothing more than that the work, to the best of the signer's belief, has been finished; and does not necessarily imply even tacit approbation. The very first time ——— (*the Commissioner*) had occasion to occupy the house, he became sensible of its defects and very properly brought them to the notice of Government.

## No. CLXXIX.

### TO THE SECRETARIES TO THE FERRY FUND COMMITTEES, LOWER PROVINCES.

No. 2, of 1846.

No. 2.—Dated Daodecandy, 5th January, 1846.

Half yearly returns of works under Ferry Fund Committees required.

THE Hon'ble the Deputy Governor of Bengal, having under instructions from the Hon'ble the Court of Directors called on me for reports of works under the superintendence of the Ferry Fund Committees, affording information according to the revised form hereto annexed, for the periods noted

See No. CXLVI. \* 2d. half year of 1844. in the margin,\* I have the honor to request that you  
1st. ditto of 1845. will be good enough to furnish me with the same for  
2d. ditto of 1845. your district at the earliest period practicable.

2d. You will be guided by this form in your future reports also.

Superseded by C. O. No. 6, of 1848.

The half-yearly form prescribed by this Circular was superseded by a yearly form, it is therefore omitted here, and the new form will be found appended to Circular Order, Superintendent of Police, Lower Provinces, No. 6, of the 18th May, 1848.



## No. CLXXX.

## TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 3.—Dated Khoolna, 28th January, 1846.

No. 3, of 1846.

HAVING had occasion to bring before the Hon'ble the Deputy Governor of Bengal, the question as to allowing Police Darogahs, travelling charges, or their expences in certain cases, I have the honor to forward you copy of a letter, No. 183, of the 21st instant, from Mr. Under-Secretary Turnbull conveying the instructions of the Government on the subject.

Travelling allowance of Police Darogahs and their deputation to other Thannahs.

2d. Great caution should be observed in the deputation of Police Darogahs to other Thannahs, and such a measure should be adopted only in peculiar and important cases.

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*From A. TURNBULL, Esq., Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq., Superintendent of Police, Lower Provinces, No. 183, dated 21st January, 1846.*

I am directed by the Hon'ble the Deputy Governor of Bengal, to acknowledge the receipt of your letter, No. 2304, of the 30th October last, and to inform you in reply, that a Police Darogah especially deputed to make local enquiries in a Thannah not immediately under him and distant from his own, may be allowed travelling charges; but it is to be distinctly understood that this indulgence is not to extend to cases in which Police Darogahs follow criminals into other Thannahs than their own in the ordinary course of duty.

Judicial.

2. On extraordinary occasions of the latter description where Darogahs have to pursue criminals for days together through one or more districts, as in the recent Patna dacoity case, you are hereby authorized to pass their bonâ fide travelling expences.

See No. 10 of 11th Aug. 1845.

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CIRCULAR Order, No. 4, of the 30th January, 1846, contains instructions for the transmission of all letters and packets intended for the Superintendent of Police, Lower Provinces, to Bhagulpore, Monghyr and Patna, as he would visit those districts.

No. 4, of 1846.

**No. CLXXXI.**

TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 5, of 1846.

No. 5.—Dated on the river, 19th February, 1846.

Assistants when posted to Sub-divisions may apply for tents.

See C. O. No. LXXXVI.

**W**HEN any Assistant Magistrate is nominated to a Sub-division, and may require a tent for public purposes, I have the honor to direct that you will report to this office, that I may procure the sanction of the Government for the disbursement of the sum allowed in such cases.

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No. 6, of 1846.

**C**IRCULAR Order, No 6, of the 31st March, 1846, contains instructions regarding the style of address to be adopted towards Maha Rajah "Juggut Indur Bunwarry Loll Bahadoor of Moorshedabad.

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**No. CLXXXII.**

TO THE MAGISTRATES, JOINT MAGISTRATES AND THUGGEE ASSISTANTS, LOWER PROVINCES.

No. 7, of 1846.

No. 7.—Dated 9th May, 1846.

Circulating statements by Dacoits.

**W**ITH reference to my two Circulars, Nos. 21 and 22, of the 7th September and 7th October, 1843, with their accompaniments I have now the honor to forward you the accompanying statements made by certain Dacoit prisoners before Major Riddell. I wish these to be considered with the depositions of Bokaie and others examined before Captain Marsh, and from these you will be able to understand the mode in which local Dacoits recruit their gangs, dispose of their plunder, and arrange their movements.

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*The statements are omitted here as well as at page 126, for the reason stated at the bottom of Circular Order, No. CXXVIII. page 110.*

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**No. CLXXXIV.**

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.

No. 8.—Dated 22nd June, 1846.

No. 8, of 1846.

**O**BSERVING that several Magistrates forwarded me duplicates in the vernacular language, of the monthly and annual Police returns required by my Circular No. 6, of 1845, I beg to acquaint you, that I do not require such returns, those in English being sufficient for my purpose.

Vernacular Police returns not required.

**No. CLXXXV.**

TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER  
PROVINCES.

No. 9.—Dated Patna, 9th July, 1846.

No. 9, of 1846.

**I**HAVE the honor to annex for your information, copy of a communication from Mr. Under-Secretary Young No. 1423, of the 1st instant.

Deputation Allowances of Deputy Magistrates.

See also No. 7, of the 22nd Sept. 1847.

*From G. A. BUSHBY, Esq. Secretary to the Government of India, to F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, No. 426, dated 20th June, 1846.*

G. O. 20th June, 1846.

In reply to Mr. Under-Secretary Beadon's letter, No. 1085, dated the 10th instant, I am directed to state, that in compliance with the recommendation of the Hon'ble the Deputy Governor of Bengal, the President in Council is pleased to sanction the grant of an allowance of 5 Rs. per diem to Deputy Magistrates not yet reported qualified for permanent deputation into the Mofussil, and receiving 200 Rupees per mensem, whenever deputed into the interior to make local investigations. The indulgence to have retrospective effect in those cases which have already occurred.

Home Dept. Judicial.

No. 1423.

Copy forwarded to the Superintendent of Police, Lower Provinces, for information, with reference to his letter No. 1082, of the 12th May, last.

By order,

(Signed) A. R. YOUNG.

*Under-Secretary to the Government of Bengal.*

*Fort William, the 1st July, 1846.*

**No. CLXXXVI.**

TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 10.—Dated Patna, 20th August, 1846.

No. 10, of 1846.

Police officers bringing in witnesses or defendants not to remain in attendance at the Cutcherry.

**I** WISH to caution you against the practice of allowing Police officers bringing in witnesses or defendants, to remain in attendance at the Cutcherry until the examinations of such persons have been taken.

2nd. This custom not only interferes with the regular duties of the Police, but it also leads to much abuse, the object frequently of the Police officers remaining, being to see that the witnesses and others adhere to any story, which they may have been previously compelled or instructed to state at the Thannah, or the interior of the District.

No. 11, of 1846.

**C**IRCULAR Order No. 11, of the 16th September, 1846, circulated an extract from a letter of Government on the subject of the Police operations of 1845.

**No. CLXXXVII.**

TO THE MAGISTRATES, JOINT MAGISTRATES AND ASSISTANT SUPERINTENDENTS IN THE THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 12.—Dated Patna, 28th September, 1846.

No. 12, of 1846.

The early preparation and transmission of periodical accounts inculcated.

**I** HAVE the honor to annex for your information and guidance, copy of a letter, No. 2394, of the 16th instant, and of its enclosures from Mr. Under-Secretary Beadon, on the necessity of the early preparation and transmission of periodical accounts to the Accountant to the Government of Bengal.

*From C. BEADON, Esq. Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 2394, dated 16th September, 1846.*

G. O. 16th Sept. 1844.

I am directed by the Hon'ble the Deputy Governor of Bengal to transmit for your information the accompanying copy of an extract No. 303, from the proceedings of the Government Bengal in the Financial Department dated the 21st ultimo, and of its



enclosures, and to request that you will issue the necessary instructions to the officers subordinate to you, to prepare and forward to the Accountant to the Government of Bengal, the accounts of their Departments in time to enable the Accountant to close the public accounts on the dates specified in the memorandum, which forms an enclosure in the extract.

No. 12, of 1846.

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No. 303.

*Extract from the Proceedings of the Hon'ble the Deputy Governor of Bengal, in the Financial Department, under date the 21st August, 1846.*

G. O. 21st August, 1846.

Read a letter from the Accountant to the Government of Bengal, dated the 12th instant, forwarding a memorandum of returns due to the several branches of his office on the 31st ultimo.

Read the reply thereto, dated the 21st instant.

Read again the Resolution in this Department, under date the 19th June last, specifying the dates on which the departmental accounts of Bengal may be conveniently closed, and directing that the Accountant be instructed to observe those dates carefully in future, and to submit an explanatory report on the cause of delay in every instance in which they may not be adhered to punctually.

Ordered that a copy of the Resolution above adverted to, together with the extract\*

\* Para. 1. from the Hon'ble Court's despatch to the Government of India, No. 18, dated the 23rd September, 1845, therein quoted, and a copy of the letter from this Department to the Accountant to the Government of Bengal, No. 302, dated 21st instant, be forwarded to the Secretary to the Government of Bengal, with a view to the adoption of measures for expediting the transmission to the Accountant, of returns from officers under the control of the Government of Bengal, whose accounts that officer may find it necessary to report to the Bengal Office to be in arrear.

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*Fort William, Financial Department, the 19th June, 1846.*

Read an Extract from the proceedings of the Hon'ble the President of the Council of India in Council, in the Financial Department of this date, forwarding copy of a despatch from the Hon'ble Court of Directors, No. 18, of 1845, dated the 23rd September, desiring to be furnished in future with the Financial Statements of Bengal, and the North Western Provinces, at an earlier period than that which has hitherto been observed, and with a separate copy thereof for the use of the Board of Commissioners for the affairs of India.

RESOLUTION. The Hon'ble the Deputy Governor of Bengal observes, that under the Resolution of the Government of India in the Financial Department, dated the 15th March, 1843, the dates fixed for the despatch to the Government of India of the financial returns of the several Presidencies are as follows :

|                              |    |                                         |
|------------------------------|----|-----------------------------------------|
| Sketch Estimate of each year | .. | by 31st July, of each year.             |
| Regular Ditto                | „  | .. by 31st December, ditto.             |
| Actual Accounts              | „  | .. by 28th Feb., of the following year. |

No. 12, of 1846.

G. O 21st August,  
1846.

These dates, he understands from the memorandum noted in the margin, have been

Dates of despatch to Government of India.

Sketch Estimate. Regular Estimate. Actual Accounts.  
1844-45. 1844-45. 1844-45.

|             |                  |                  |                   |
|-------------|------------------|------------------|-------------------|
| Bengal, ... | 22nd Aug., 1844. | 3rd Feb., 1845.  | 8th June, 1846.   |
| Agra, ..... | 16th Aug., 1844. | 29th Jan., 1845. | 27th March, 1846. |
| Madras, ... | 23rd July, 1844. | 23d Dec., 1844.  | 21st Feb., 1846.  |
| Bombay,...  | 31st July, 1844. | 26th Dec., 1844. | 23d Feb., 1846.   |

carefully observed by the  
offices of Account under the  
Governments of Madras and  
Bombay, and not materially  
exceeded by the Accountant

in the North Western Provinces. His Honor is aware that the Bengal Accounts, from embracing not only the receipts and disbursements of the Government of Bengal, but those of a general character occurring at all the Presidencies and under the control of the Government of India, cannot be closed on so early a date as the returns from the other Presidencies, but he considers that the best way of accelerating the preparation of the General Account made up in Bengal, is to expedite the completion of the Departmental Accounts, and he is informed that these latter may be conveniently closed on the dates specified in the accompanying memorandum. The Deputy Governor therefore resolves, that the Accountant be instructed to observe these dates carefully in future, and to submit an explanatory report on the cause of delay in every instance in which they may not be adhered to punctually.

Ordered, that a copy of the foregoing Resolution and of the Memorandum annexed thereto, together with a transcript of the Hon'ble Court's Despatch to the Government of India, No. 18, dated the 23rd September, 1845, be forwarded to the Accountant to the Government of Bengal for his information and guidance.

*Memorandum of the dates on which the Accounts of Receipts and Disbursements of the under-mentioned Departments under the Accountant in Bengal can be closed.*

|                          | Date of closure of<br>last Abstract. | Date of closure of<br>Account. |
|--------------------------|--------------------------------------|--------------------------------|
| Government Agency .....  | 31st July each year.....             | } 31st January of each year.   |
| Savings' Bank.....       | 31st July.....                       |                                |
| Mint.....                | 31st August.....                     |                                |
| Stamps .....             | } 30th September .....               |                                |
| Post Office .....        |                                      |                                |
| Judicial .....           | } 30th November .....                |                                |
| Land Revenue .....       |                                      |                                |
| Abkaree .....            | } 31st October .....                 |                                |
| Sayer .....              |                                      |                                |
| Customs .....            |                                      |                                |
| Salt .....               | } 31st October .....                 |                                |
| Opium .....              |                                      |                                |
| Marine .....             |                                      |                                |
| Civil Buildings.....     | 30th November .....                  | }                              |
| Eastern Settlements..... | 30th September .....                 |                                |

*Extract from a letter from the Hon'ble the Court of Directors, addressed to the Government of India in the Financial Department, under date the 23rd September, 1845.*  
No 18.

No. 12, of 1846.

G. O. 21st August, 1846.

| Bengal                                         |                   | North Western Provinces                        |                   |
|------------------------------------------------|-------------------|------------------------------------------------|-------------------|
| Statement of actual Receipts and Disbursements | Regular Estimate. | Statement of actual Receipts and Disbursements | Regular Estimate. |
| 1835-36 21st May, 1838.                        | 24th Apl., 1837.  | 30th Oct., 1839.                               |                   |
| 1836-37 8th June, 1839.                        | 19th May, 1838.   | 28th Feb., 1839.                               |                   |
| 1837-38 24th Feb., 1840.                       | 13th Apl., 1839.  | 21st Sep., 1839.                               |                   |
| 1838-39 11th Feb., 1841.                       | 6th July, 1840.   | 27th July, 1840.                               | 8th Feb., 1840.   |
| 1839-40 11th Dec., 1841.                       | 14th Dec., 1840.  | 7th July, 1841.                                | 5th Dec., 1840.   |
| 1840-41 13th Jan., 1843.                       | 11th Feb., 1842.  | 15th Nov., 1842.                               | 11th Oct., 1841.  |
| 1841-42 11th Dec., 1843.                       | 12th Apl., 1843.  | 11th June, 1844.                               | 10th Mar., 1843.  |
| 1842-43 11th Nov., 1844.                       | 13th Mar., 1844.  | 17th Feb., 1845.                               | 11th June, 1844.  |
| 1843-44 Not yet received.                      | 13th May, 1844.   | 3rd July, 1845.                                | 9th June, 1845.   |
| 1844-45 Not yet received.                      | 16th May, 1845.   | Not yet received.                              |                   |

In the margin are exhibited the dates at which the several Financial Statements of the Presidency of Bengal and the North Western Provinces have been received

#### *Statement of Quick and Dead Stock.*

| Bengal.           |                   | N. W. Provinces.  |  |
|-------------------|-------------------|-------------------|--|
| 30th April, 1836. | 15th July, 1839.  | May, 1838.        |  |
| " 1837.           | 18th Aug., 1840.  | 13th March, 1839. |  |
| " 1838.           | 13th May, 1841.   | Feb., 1840.       |  |
| " 1839.           | 23rd Aug., 1842.  | 11th Dec., 1840.  |  |
| " 1840.           | 9th Aug., 1843.   | 18th Jan., 1842.  |  |
| " 1841.           | 12th July, 1844.  | 18th Jan., 1843.  |  |
| " 1842.           | 26th Aug., 1845.  | 15th April, 1844. |  |
| " 1843.           | Not yet received. | 29th April, 1845. |  |
| " 1844.           | Not yet received. | Not yet received. |  |

#### *Comparative Statement of Bengal Debt.*

|                                            |                         |
|--------------------------------------------|-------------------------|
| On 30th April, 1835, and 30th April, 1836. | 12th April, 1839.       |
| " 1836.                                    | 17th Aug., 1840.        |
| " 1837.                                    | 1838. 31st March, 1841. |
| " 1838.                                    | 1839. 19th Jan., 1842.  |
| " 1839.                                    | 1840. 17th March, 1843. |
| " 1840.                                    | 1841. 14th Nov., 1843.  |
| " 1841.                                    | 1842. 11th Dec., 1843.  |
| " 1842.                                    | 1843. 11th Nov., 1844.  |
| " 1843.                                    | 1844. Not yet received. |

by us, commencing with those relating to the year 1835-36. The importance of our being supplied with early and ample information regarding Indian Finance must be evident to you, and we desire that you take into your immediate consideration the adoption of such measures as may enable you in future to furnish us with the similar statements at an earlier period than that which has hitherto been the custom.

*From J. A. DORIN, Esq., Secretary to the Government of India in the Financial Department, to R. WALKER, Esq., Accountant to the Government of Bengal, No. 302, dated 21st August, 1846.*

I am directed to acknowledge the receipt of your letter, No. 17, of the 12th instant, giving cover to a memorandum of returns due to the several branches of your office on the 31st ultimo, and with reference to the two instances noted in the margin\* of

Finl. Deptt.

\* Singapore Cash Account for March, and April, 1846.  
Moonghyr Post Office, Ditto from February to April.

delay in the receipt by you of the Accounts of the Resident Councillor at Singapore and the Post Master at Monghyr to request, that in every instance of delay in the receipt of the returns due to you from officers under the control of the Government of Bengal that you apprehend will compel you to postpone closing your Departmental Accounts of Receipts and Disbursements beyond the dates fixed for their completion, you will be good enough to report to the Secretary to the Govern-

No. 12, of 1846.

ment of Bengal the fact of such delay and its anticipated effect upon your own accounts, in order that the Government of Bengal may adopt effectual measures to put you in timely possession of the required returns.

*See Circular Order, Board of Revenue, No. 675 of the 23rd September, 1846.*

## No. CLXXXVIII.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANTS  
IN THE THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 13, of 1846.

No. 13.—Dated Patna, 15th October, 1846.

Importance acquiring assistance of landholders, and of keeping up a Register of sirdar Dacoits and systematic receivers of plundered property.

I HAVE the honor to forward for your information the accompanying copy of a despatch, No. 8, from the Hon'ble the Court of Directors, regarding the state of the Police in the year 1844.

2nd. I cannot too earnestly impress upon you the importance of your acquiring the assistance of the European and Native Landholders (and indeed of the people generally) in your district in the detection and suppression of crimes, and you should make the obtaining of that, one of the principal objects of your attention.

3rd. I fear that the formation of such a Registry of Dacoits, as that proposed by the Hon'ble Court, will be a work of much difficulty, if not of impossibility, as regards local Dacoits, but the statements made before Major Riddell, forwarded to you with my Circular Letter, No. 7, of the current year, show that something can be done towards the plan, and I request your best attention to the subject. The great danger to be guarded against is the propensity of the prisoners to give information as they think you require it, but not supported by facts, and to implicate innocent persons.

*Judicial Department.*

*Our Governor of the Presidency of Fort William in Bengal.*

*No. 8, dated London, the 19th August, 1846.*

*Whole Judicial (Secretary's) letter, 20th October, (No.) 1845.*

In your proceedings of the 23rd July, 1845, you have properly recommended the adoption of the suggestions submitted in the general report of the Superintendent of Police for the preceding year, for the purpose of obtaining information and assistance for the detection and suppression of crimes, from the Zemindars, the European Planters, and the people generally. Mr. Dampier states that in every district there are at present "numerous English gentlemen, and certainly some respectable resident Native Landholders, who would have an interest in aiding the Magistrate to keep the peace and



prevent crime in the District." The importance of taking advantage of such a resource is so apparent that the Superintendent cannot better exercise his authority over the several Magistrates than by habitually enforcing the performance of that duty.

No. 13, of 1846.

2. In a few districts the crime of dacoity is stated to have increased. The following is the total number of cases.

| Dacoity with murder. | Do. with torture. | Do. with wounding. | Do. without aggravation. | River Dacoity with murder. | Do. with wounding. | Do. without aggravation. |
|----------------------|-------------------|--------------------|--------------------------|----------------------------|--------------------|--------------------------|
| 7                    | 9                 | 130                | 561                      | 3                          | 2                  | 26                       |

We are glad to learn that in its more aggravated form, this crime, so destructive to the peace and good order of society is not of frequent occurrence. From the explanation given by the Superintendent, the other more numerous cases seem to be attributable to distress on the part of the Ryots, arising from a failure of the crops which lays them open to the instigation of the Sirdar Dacoits. With regard to the Sirdars and to the receivers of plundered property who systematically follow Dacoity as a profession, we conceive that under the direction of the Superintendent of Police, measures might be taken for keeping a Register of the chief persons of either description, as has been done with such success in the Thuggee Department, such a Register might gradually be formed by preserving and connecting together the information procured with respect to each remarkable dacoity. Information for the same purpose might often be procurable from prisoners, either before their trial or while undergoing their sentence. In no long time we should hope that every heinous case of dacoity might with confidence be traced to the parties at whose instigation it had been perpetrated, and great facility might be afforded in obtaining evidence to ensure their conviction in a court of justice.

3d. Care should be taken that persons about to be brought to trial for dacoity or under sentence of imprisonment for that crime, should not have such means of communication with other parties, as may be used in the one case for the corruption or intimidation of witnesses, or in the other case for effecting their escape.

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CIRCULAR Order No. 14, of the 15th December, 1846, circulated "a list of Police Officers dismissed from the force for disqualifying offences, and who are not eligible for employment without a special reference" to the Superintendent of Police, Lower Provinces.

No. 14, of 1846.

No. 1, of 1847. **CIRCULAR** Order No. 1, of the 20th February, 1847, intimated the intention of the Superintendent of Police, Lower Provinces, to proceed to Calcutta.

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## No. CLXXXIX.

### TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 2, of 1847.

No. 2.—Dated Garden Reach, 29th April, 1847.

Magistrates not to send Military Board Quarterly Statements of Ferry Funds.

\* See C. O. No. LXXVIII.

**I** HAVE the honor to annex for your information and guidance copy of a communication, No. 8621, of the 12th of March last, from the Secretary to the Military Board, requiring Magistrates to dispense with the transmission of Ferry Fund quarterly statements\* to the Board.

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*From CAPT. G. T. GREEN, Secretary to the Military Board, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 8621, dated 12th March, 1847.*

With reference to the accompanying copy of an extract, I am directed by the Military Board to request you will have the goodness again to point out to the Civil Authorities, that the submission of the quarterly statements of Ferry Funds to this office, is no longer necessary.

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*Extract from the Proceedings of the Hon'ble the Deputy Governor of Bengal, in the Judicial Department under date the 4th of July, 1842, No. 876.*

Read a letter No. 916, from the Military Board, dated the 17th ultimo.

Ordered that the Military Board be informed, that the Hon'ble the Deputy Governor of Bengal approves of the discontinuance of the Ferry Fund quarterly statements furnished to the Board by the Magistrates.

Ordered also that the copy of this resolution be sent to the Superintendent of Police in the Lower Provinces.

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**No. CXC.****TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.**

No 3.—Dated, 29th May, 1847.

No. 3, of 1847.

I HAVE the honor to forward you an extract, paras. 2nd, 3rd and 5th from a Resolution of the Court of Nizamut Adawlut dated the 25th instant, No. 467, ruling that all private servants employed as guards, watchmen, &c. come within the rules of Section 21, Regulation XII. of 1807.

Private servants employed as guards, watchmen, &c. come within Sec. 21, Reg. XII. of 1807, and lists of them to be furnished.

2nd. I request that you will most carefully enforce the provisions of that law within your District, taking care that the lists required are regularly given in to you as well as to the Assistants or Deputy Magistrates in charge of sub-divisions.

See C. O. No. LXVII.

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*Extract from a Resolution of the Presidency Court of Nizamut Adawlut, under date the 25th May, 1847, No. 467.*

2nd. An appeal was preferred to the Sessions Judge, who remitted the fine imposed on ———, on the grounds that Chedam Sirdar was not of that class or description of servants, of which, under Section 21, Regulation XII. of 1807, the Zemindars are required to furnish annual lists to the Magistrate.

3rd. The Superintendent of Police requests the attention of the Court to the construction put by the Sessions Judge on the above quoted Section and Regulation, urging that it is erroneous.

5th. As regards the point to which the Superintendent of Police has called the Court's attention, it has recently been decided in correspondence with the Western Court, that private chowkeedars or watchmen of whatever denomination employed by individuals for guarding their houses, shops, or other premises, are required by the Regulations to assist the police officers in preventing robbery or other crimes, and in apprehending offenders. A circular to this effect has been issued by both Courts under date 31st March, 1847. Now the object to be attained by requiring the Zemindars to furnish annual lists of the pykes, chowkeydars, &c. or any other description of watchmen or guards, is stated in Section 21, Regulation XII. 1807, to be "to enable the zillah and city Magistrates at all times to ascertain what number and description of watchmen and guards are maintained in aid of the police throughout their respective jurisdiction." It follows as a necessary consequence that all private servants employed as guards, watchmen &c. come within the rules of Section 21, Regulation XII. 1807.

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No 3, of 1847.

Reg. XII. of 1807.

Recapitulation of Sec. 13, Regulation XXII. 1793. Lists of all village watchmen to be sent to the Magistrate. Penalty for breach of this rule.

Section 21. By Section 13, Regulation XXII. 1793, the Police Darogah is directed to keep a register of the village watchmen declared subject to his orders; and upon the death or removal of any of them, the Landholders, or others, to whom filling up the vacancies may belong, are required to send the names of the persons whom they may appoint, to the Darogah of the jurisdiction, that they may be registered by them. For the more complete formation of the register in question, and to enable the Zillah and city Magistrates, at all times, to ascertain what number and descriptions of watchmen and guards are maintained, in aid of the Police throughout their respective jurisdictions, it is hereby further required, that every Landholder, farmer, merchant, or other person, employing Pykes, Chowkeedars, Pasbans, Nigabans, Burkundaues, or any other description of watchmen, or guards, shall, within three months after the promulgation of this regulation, transmit a list thereof, specifying the names, occupations, places of residence, and allowances in land or money, of the several persons entertained by them, to the Magistrate of the Zillah or city in which they are employed. They shall also transmit to the Magistrate a similar list, in the first month of each succeeding Bengal, Fussily, or Willait year, (according to the era current in the district,) made up to the last day of the preceding year: any neglect to furnish such lists, (especially after being called upon by the Magistrate,) as well as any wilful omission to include in them persons actually employed as guards or watchmen, of whatever denomination, shall be liable to a fine to Government not exceeding two hundred Rupees; to be determined by the Magistrate, according to the situation of the party and circumstances of the case.—*Regulation XII. of 1807, Section 21.*

Constn. 1150 of 1838.

The fine imposed above to be commuted to imprisonment.

In the absence of the Zemindar, the manager of the estate is responsible.

Para. 2. The Court propose to inform the Magistrate of Dinagepore, in reply to his question, that under the principle recognized in the Court's Construction No. 388, of the printed Construction Book, any fine imposed in conformity to Section 21, Regulation XII. 1807, should be commuted, if not paid within a given time, to imprisonment for a limited term.

3. With reference to Mr. Bentall's second question, the Court are of opinion, that in the absence of the Zemindar, the actual manager of the estate is the responsible person, and should be proceeded against, in default of compliance with the requisitions of the law cited.—*Construction No. 1150, of the 27th September, 1838.*

Reg. XIV. of 1807.

Rules in respect to private watchmen entertained and paid by individuals.

*Sixth.* All private watchmen entertained by individuals for guarding their houses, shops, or other premises within the Cutwallee jurisdiction are required to act in concert with the officers of Police in maintaining the peace, and are declared subject to the orders of the Cutwal, and of the Darogahs of their respective wards in all matters relative to Police. If such watchmen be found deficient in performing the duties required from them, they shall be dismissed at the requisition of the Magistrate, who is also empowered to see that none but proper persons are appointed in their stead.—*Clause 6, Section 11, Regulation XIV. of 1807.*

C. O. Nizt. Adwt. No. 5, of 1847.

Private watchmen declared to be within the meaning of the rule in Clause 2, Sec. 2, Reg. XII. 1818.

\* See page 56.

Doubts having been entertained as to whether the implication of a *private* Chokeydar or watchman in a burglary, renders his commitment to the Sessions Court compulsory under the provisions of Clause 2, Section 2, Regulation XII. of 1818, the Court are pleased to direct the attention of the criminal authorities to the terms of Clause 6, Section 11, Regulation XIV. of 1807, and Clause 9,\* Section 21, Regulation XX. of 1817, which declare that "private watchmen entertained by individuals for guarding their houses, shops, or other premises," within the towns or villages where the Darogahs of Police or officers of outposts may be stationed.



and within the Cutwallee jurisdiction, shall be considered subject to the orders of the Police Officers, and are required to act in concert with them.

2. The provisions, however, of Clause 6, Section 11, Regulation XIV. of 1807, being declared by Clause 4, Section 12,\* of the same regulation applicable to "private watchmen, entertained by individuals, for guarding their houses, &c. within the towns, gunjes, or other places forming part of any Mofussil Police jurisdiction," it follows that private watchmen, of whatever denomination and by whomsoever entertained, are "required by the regulations to assist the Police Officers in preventing robbery or other crimes and apprehending offenders," and that being thus in the same category with the chowkeydars and others, described in Section 4, Regulation III. of 1805, they come within the intent and meaning of the rule contained in Clause 2, Section 2, Regulation XII. of 1803.—*Circular Order, Nizamut Adawlut, No. 5, of the 31st March, 1847.*

No. 3, of 1847.

C. O. Nizt. Adwt.  
No. 5, of 1847.

\* Rescinded by  
clause 1, Sec. II. Regulation XX. of 1817.

## No. CXCI.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANTS IN THE THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 4.—Dated Garden Reach, 7th June, 1847.

No. 4, of 1847.

I HAVE the honor to forward you copy of a letter from Mr. Under-Secretary Young, dated the 2nd instant No. 39, to Raja Sutt Churn Ghosaul Bahadoor, regarding the mode of addressing that nobleman, by the titles conferred on his late father to which he has succeeded, and to request your attention to the same.

Style of address  
to be observed towards  
Rajah Sutt Churn  
Ghosaul Bahadoor.

2nd. The style of address to be adopted in communication with the Raja is

• راجہ صاحب بسیار مہربان دوستان سلامت • مکاتبہ • مسرت طراز • زیادہ چہ برطراراد •  
کاغذ زرافشان • مہر خور

*From A. R. YOUNG, Esq. Under-Secretary to the Government of Bengal, to Raja Sutt Churn Ghosal Bahadoor, No. 39, dated 2nd June, 1847.*

In reply to your letter dated the 26th ultimo, bringing to notice the omission on the part of the officers of Government in addressing you by the titles conferred on your late father, and to which you have succeeded, I am directed to inform you, that instructions will this day be issued to the several authorities to observe the style of address to which you are entitled, in their future communications with you.

## No. CXCI.

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.

No. 3, of 1847.

No. 5.—Dated Garden Reach, 29th June, 1847.

Previous convictions no cause for requiring security for good behaviour.

IN calling on a party to furnish security under the provisions of Regulation VIII. of 1818, you should be very cautious in taking into account previous convictions against him. As a general rule, such convictions should not be considered. The party has been punished for his offence, and only recent circumstances indicating a dishonest mode of life, can be considered to warrant the demand of security.

The above is the rule laid down by the Court of Nizamut Adawlut, and to it I request your particular attention.

C. O. Nizt. Adwt.  
No. 26 of 1829.

Security not to be required without proof of recent bad livelihood.

I am desired by the Court of Nizamut Adawlut to forward to you, for your information and guidance, the accompanying extract (paragraph 28,) from a letter written by me, by order of the Court of Nizamut Adawlut, to the Secretary to Government in the Judicial Department, under date the 26th September last; and of paragraph 5 of a letter this day addressed by me to the same authority, connected with the report furnished by the late third Judge of the Patna Court of Circuit, on the conclusion of the first sessions of that division for the year 1827, together with an extract from a letter written to the late Benares Court of Circuit, on the 31st August of that year containing the construction given by the Court, of Regulation VIII. of 1818.

2d. You are requested to furnish the several magistrates in your division with a copy of the former extract, and to require them to conform thereto.

*Extract from a letter from the Register of the Nizamut Adawlut, to the Secretary to Government in the Judicial Department, dated the 26th September, 1828.*

28th. The laws which regulate the demands of security from persons of suspicious character are susceptible of considerable modification and improvement, and there is too much reason to believe that Mr. Elliot's report presents no exaggerated picture of the evils experienced from the present system of procedure in such cases. The confinement of an individual in jail, on a requisition of security for good conduct, without proof of recent circumstances warranting the imputation of dishonest livelihood at the time of apprehension, is a manifest act of injustice. Regulation VIII. of 1818, could never have been intended to authorize a practice of this nature, and the Magistrates will be accordingly directed to abstain from so erroneous a construction of the enactment, while the Court of Circuit will be particularly required to report any

deviation from these orders to the Nizamut Adawlut, with a view to its being brought to the serious notice of Government. The attention of His Lordship in Council will, no doubt, be directed to the proposition of the Circuit Judge for restricting the powers of the Magistrates to the requisition of security from persons of dangerous character alone, whose restraint is necessary for the public welfare. It must, however, be observed, that by Clause 2, Section 8, Regulation VIII. of 1818, a Circuit Judge is empowered, on the prisoners petitioning, to call for the proceedings, and annually modify or confirm the order of the Magistrate, according to the circumstances of the case.

No. 5, of 1847.

C. O. Nizt. Adwt.  
No. 26 of 1829.

*Extract from a letter from the Register of the Nizamut Adawlut, to the Secretary to Government in the Judicial Department, dated the 15th May, 1829.*

5. On the subject noticed in the 33rd paragraph of your letter, I am directed to state the opinion of the Court, that the period for which the Magistrates are now authorized to detain persons in default of giving security, is not too long, supposing due control to be exercised over their proceedings; but the Court are, at the same time, of opinion that the orders of the Magistrate in such cases, should be at all times open to revision. A construction to this effect was given by the Nizamut Adawlut on the 31st of August, 1827, with reference to the powers, in this respect, possessed by the Courts of Circuit at the Sudder Station. This construction will be circulated to the several Commissioners of Circuit, with an intimation that they are equally competent to exercise the same powers.

*Extract from a letter from the Register of the Nizamut Adawlut, to the Benares Court of Circuit, dated the 31st August, 1827.*

FIFTHLY. Section 4, Regulation IV. of 1825, should not be construed to preclude an individual in confinement for security, under the provisions of that rule, from preferring an appeal to the Court of Circuit at the Sudder Station, when no order may have been passed on his case by the Judge of Circuit at the Sessions of jail delivery preceding; and the Judges of the Court of the Sudder Station are competent to pass such orders thereon, under the general regulations relative to appeals, as may appear in their judgment to be just and equitable.

*Circular Order, Nizamut Adawlut, No. 26, dated the 15th May, 1829.*

CIRCULAR Order No. 6 of the 30th August, 1847, called for information in reference to a Circular of the Civil Auditor, to enable that functionary to prepare analytical statements of the Civil Establishments.

No. 6, of 1847.

## No. CXCH.

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.

No. 7, of 1847.

No. 7.—Dated Garden Reach, 22nd September, 1847.

Travelling allowance to Deputy Magistrates.

I HAVE the honor to forward you copy of the orders of the Government No. 1894, dated the 8th instant, with enclosure granting to Deputy Magistrates in *charge of sub-divisions*, a travelling allowance of 3 Rs. per diem whilst moving about their jurisdiction.

See C. O. No. CLXXXIV.

2. This order does not interfere with that of the 1st July, 1846, authorizing an allowance of 5 rupees a day to Deputy Magistrates residing at Sudder Stations and drawing an allowance of 200 rupees per mensem, when deputed to the interior on duty.

G. O. 8th September, 1847.

Judicial.

*From W. GREY, Esq. Officiating Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 1894, dated 8th September, 1847.*

With reference to your letter No. 30, dated the 11th January last, and enclosures, I am directed by the Hon'ble the Deputy Governor of Bengal to transmit for your information the accompanying copy of a communication No. 527 of the 28th ultimo, from the Secretary to the Government of India, in the Home Department, sanctioning the grant of travelling allowance at 3 Rupees per diem to Deputy Magistrates, while actually employed in moving about their districts. Bills on this account may be submitted in the same way as those now sent in by covenanted assistants, when deputed into the interior of their districts.

2. The original enclosures of your letter are herewith returned.

G. O. 28th Aug. 1847.

Home Department.  
Judicial.

*From G. A. BUSHBY, Esq. Secretary to the Government of India, Home Department, to F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, No. 527, dated 28th August, 1847.*

I am directed to acknowledge the receipt of your letter No. 1700, dated the 11th instant and to state in reply, that as recommended by His Honor the Deputy Governor in the concluding paragraph of that letter, the President in Council is pleased to sanction the grant of travelling allowance at 3 Rupees per day to Deputy Magistrates appointed by Act XV. of 1843, while actually employed on tours or deputations of duty.



**No. CXCIV.**

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANTS TO GENERAL SUPERINTENDENT IN THE THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 8.—Dated Garden Reach, 30th December, 1847.

No. 8, of 1847.

I REQUEST that you will notify to all the Ministerial and Police Officers subordinate to you, that in future I shall rigidly enforce the rule requiring copies of all orders appealed against, to be sent or presented with the petitions of appeal to this office, and that all petitions unaccompanied by such copies will be rejected.

Requiring observance of rule that a copy of all orders appealed against should accompany such appeals.

*See Circular Orders No. XXVI. (pages 19 and 20,) and CLXI. (page 146.)*

CIRCULAR Order No. 1, of the 21st January, 1848, circulated “a further list of Police officers dismissed from the force for disqualifying offences, and who are not eligible for re-employment without a special reference” to the Superintendent of Police, L. P.

No. 1, of 1848.

**No. CXCV.**

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE LOWER PROVINCES.

No. 2.—Dated Garden Reach, 26th January, 1848.

No. 2, of 1848.

UNDER Orders from the Hon'ble the Deputy Governor of Bengal I have the honor to furnish you, for communication to the Ferry Fund Committee of your district, with new rules for its guidance in future.

Ferry Fund Rules of 1848: Supersedes C. O. No. CIV.

2. You will be good enough to report to this office on the working of the same at the close of the current year.

See C. O. No. CXV.

**RULES FOR THE FUTURE APPROPRIATION OF THE SURPLUS FERRY COLLECTIONS.**

1. Committees shall be formed in each District for the management of the surplus Ferry Funds collected under Regulation VI. 1819, and applicable under Clause II. Section VII. of that enactment, for the promotion of the convenience and safety of travellers, and the facility of commercial intercourse.

Ferry Fund Rules.

No. 2, of 1848.

Ferry Fund Rules.

\* In recommending such persons, the grounds of recommendation to be stated.

G. O. No. 29 of 5th Jan. 1849.

2. Each District Committee shall consist of not more than nine persons. The Magistrate of the District and the Executive Officer of the Division, shall be ex-officio Members of the Committee. The remainder shall in the first instance be appointed by Government upon the recommendation of the Superintendent of Police, and shall consist as well of persons out of the service,\* Natives and Europeans, as of those who are connected with it. Future vacancies to be filled up by the Superintendent of Police, subject to the approbation of Government.

3. The Superintendent of Police shall be a Member of the Local Committees, and preside at the meetings whenever he is present. He shall also have a casting vote, whether absent or present, when opinions are divided.

4. The Magistrate will from time to time convene meetings of the Committee for the transaction of business, giving due notice to the Members.

5. No meeting of the Committee shall be held in the absence of the Magistrate, but the Magistrate and one other Member, or the Magistrate singly, may transact the business of the Committee if other Members after due notice fail to attend.

6. The Magistrate may at his discretion undertake any business which may be of such a nature as not to bear the delay of a reference to a meeting of the Committee; he will on all such occasions report his proceedings at the next meeting.

7. The whole country is divided into Unions; the surplus Ferry Funds in these are to be thrown together and divided between the several Districts which compose them.

8. The Unions shall be as follows:\*

*1st Union.*

Sarun.  
Champarun.  
Tirhoot.

*2d Union.*

Shahabad.  
Patna.  
Behar.

*3d Union.*

Monghyr.  
Bhaugulpore.  
Purneah.  
Maldah.

*4th Union.*

Dinagpore.  
Rajshahye.  
Pubnah.  
Rungpore.  
Bograh.

*5th Union.*

Mymensing.  
Sylhet.  
Dacca.

*6th Union.*

Chittagong.  
Tipperah.  
Noacolly.

*7th Union.*

Furreedpore.  
Backergunge.  
Jessore.

*8th Union.*

Nuddeah.  
Moorshedabad.  
24-Pergunnahs.  
Barrasut.

*9th Union.*

Beerbhoom.  
Burdwan.  
Bancoorah.  
Midnapore.  
Hooghly.  
Howrah.

\* Modified by Govt. Order No. 912 of the 22nd April, 1854, appended.

9. At the close of each official year the Accountant will ascertain what is the amount of the surplus Ferry Funds in each Union during the preceding year, and distribute\* the total equally amongst the several Districts comprised in it; the Government reserving to itself the power of making a different allotment of the Funds should such alteration hereafter appear expedient.

10. Each Committee will keep a book in which will be entered minutes of all its proceedings and resolutions. The proceedings of each meeting shall be attested by the Members present.

11. Each Committee will apply the Funds† assigned to it to the completion of new, and the repair of old public works, in such manner as it may think fit, reporting‡ at the close of each year the manner in which its funds have been applied, and stating the works to which its attention will be directed in the year ensuing.

12. Provided that no new work estimated at more than Rs. 1,000 shall be commenced§ without the sanction of Government, obtained|| through the Superintendent of Police, who is empowered when he may see fit, to authorize the commencement of any proposed work in anticipation of the Government orders.

13. Provided also that no part of the funds shall be expended on Station roads or Station improvements without the sanction of Government.

14. Each Committee is authorized to entertain executive establishments for carrying on public works, but not to a greater extent than one fifth of its annual assignment of funds, without the sanction of the Superintendent of Police.

15. These Rules relate exclusively to surplus funds accruing after the 30th April 1840. No surplus which may have accrued in any District before that date can be expended without the express sanction of Government.

*See C. O. Supdt. of Police, L. P. No. 7 of the 13th June, 1853.*

From HODGSON PRATT, Esq. Under-Secretary to the Government of Bengal, to C. HUGH LUSHINGTON, Esq. Officiating Accountant to the Government of Bengal, No. 912, Dated Fort William, the 22nd April, 1854.

I am directed by the Most Noble the Governor of Bengal to inform you, that with reference to the recent orders of Government, whereby the Commissioners of Revenue have been invested with the powers of Superintendents of Police within the limits of their respective divisions, and have consequently the duty of supervising the administration of the Ferry Funds in the districts of which their divisions are composed, His Lordship is of opinion that it is desirable to recast the present Ferry Fund Unions, and to allow the Ferry Funds collected in each division to be spent within the limits of that division, at the discretion of the Commissioner, within certain limits.

2. With this object, therefore, His Lordship is pleased to direct that the annual allotment of Funds to each district shall, in future, be based on the average amount of the collection in the *division*, and not the *union* to which that district belongs; and that, in fact, the present Revenue Divisions shall take the place of the Unions for all purposes connected with the administration of Ferry Funds. These orders you will be

No. 2, of 1848.

Ferry Fund Rules.

\* See G. O. above referred to.

† See C. O. Supdt. of Police, L. P. No. 7 of the 13th June, 1853.

‡ See C. O. Supdt. of Police, L. P. No. 6 of the 18th May, 1848.

§ See C. O. Supdt. of Police, L. P. No. 2 of the 18th February, 1853.

|| See C. O. Supdt. of Police, L. P. No. 8 of the 4th November, 1848.

G. O. No. 912 of the 22nd April, 1854.

Judicial.

No. 2, of 1848.

G. O. 28th January, 1854.

good enough to carry into effect when making the usual allotment on the 30th of this month.

3. His Lordship further directs, that if the allotted funds of any one district are not spent, or appropriated, for the accomplishment of specific and approved objects, within a year from the date of allotment, the Commissioner may take the whole, or any part of the unexpended or unappropriated balance at credit of any particular district, and place it at the disposal of the Ferry Fund Committee of any other district of the division where it appears to be more wanted, or likely to be more beneficially applied; reporting the circumstance in each instance for the information of Government.

4. A copy of this letter will be sent to each Commissioner of Circuit for his information and guidance.

| DIVISIONS.        | DISTRICTS.                                                                |
|-------------------|---------------------------------------------------------------------------|
| PATNA, .....      | { Patna.<br>Behar.<br>Shahabad.<br>Sarun, including<br>Champarun.         |
| BHAGULPORE, ..... | { Bhagulpore.<br>Monghyr.<br>Tirhoot.<br>Purneah.                         |
| RAJSHAHYE, .....  | { Rajshahye.<br>Pulnah.<br>Rungpore.<br>Bograh.<br>Dinagepore.<br>Maldah. |
| DACCA, .....      | { Dacca.<br>Furzedpore.<br>Sylhet.<br>Mymensingh.<br>Backergunge.         |
| CHITTAGONG, ..... | { Chittagong.<br>Tipperah.<br>Bulloah or Noakolly.                        |



| DIVISIONS.     | DISTRICTS.                                                                                        | No. 2, of 1848. |
|----------------|---------------------------------------------------------------------------------------------------|-----------------|
| NUDDEAH, ..... | Nuddeah.<br>24 Pergunnahs.<br>Calcutta.<br>Barasct.<br>Jessore.<br>Moorshedabad.<br>Soonderbunds. |                 |
| BURDWAN, ..... | Burdwan.<br>Hooghly.<br>Howrah.<br>Bancoorah.<br>Beerbhoom.<br>Midnapore.                         |                 |
| CUTTACK, ..... | Cuttack.<br>Balasore.<br>Pooree.                                                                  |                 |

## No. CXCVI.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANTS, GENERAL SUPERINTENDENT OF THUGGEE, LOWER PROVINCES,

No. 3.—Dated Garden Reach, 12th February, 1848.

No. 3, of 1848.

**O**BSERVING that the quarterly statements of expences incurred under my sanction, as required by my circular letter No. 6,\* of the 6th July 1842, are not in all instances forwarded with sufficient punctuality for me to prepare and submit my general statement in due course, I have the honor to request that you will be careful to have the statement dispatched within one month from the close of the previous quarter.

Preparation and submission of quarterly statements of expenditure.

\* No. CX.

2. As irregularities also frequently occur in the preparation of these statements, I take this occasion to draw your particular attention to the following points.

All sums that may have been expended during the quarter, although previously sanctioned by this office, are to be entered in the statements.

No sums that have been sanctioned by Government are to be entered.

Nor are items of expenditure from the surplus Ferry or Chowkeedaree funds to be included in them.

No. 2, of 1848.  
 {  
 G. O. 29th March,  
 1854.  
 Judicial.

*From HODGSON PRATT, Esq. Under-Secretary to the Government of Bengal, to all Commissioners of Circuit, dated Fort William, the 29th March, 1854.*

I am directed by the Most Noble the Governor of Bengal to request that in future you will submit to this office, at the close of each quarter of the calendar year, Quarterly Statements in the form annexed, of all contingent charges passed by you in your capacity of Commissioner and Superintendent of Police.

*Contingent Charges passed by ——— and expended during the ——— quarter of —.*

| Date of sanction. | District. | Description of charges. | Amount. |  |  | Total. |  |  |
|-------------------|-----------|-------------------------|---------|--|--|--------|--|--|
|                   |           |                         |         |  |  |        |  |  |

## No. CXCVII.

TO ALL MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 4, of 1848.

No. 4.—Dated Garden Reach, the 24th March, 1848.

Assistance to be rendered to Capt. Kittoe, Government Archaeologist in his researches.

I HAVE the honor to forward you the accompanying copy of a correspondence, and to request that you afford such aid to Captain Kittoe as is consistent with the instructions contained in the second paragraph of Mr. Seton-Karr's letter.

*From W. SETON-KARR, Esq. Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 381, dated Fort William, 22d March, 1848.*

General.

I am directed by the Right Hon'ble the Governor of Bengal to transmit copy of a letter from Mr. Secretary Bushby, No. 206, dated the 19th ultimo, with its enclosures, and to request, that as directed by the Supreme Government you will issue instructions to your subordinate local authorities to afford Captain Kittoe the assistance required in his researches.

2. I am at the same time desired to request, that you will impress on all such officers the necessity of keeping strictly within the bounds of the law, and of carefully abstaining from any measures which may injure the rights, arouse the hostility, or offend the religious prejudices of the native population.

No. 4, of 1848.

*From G. A. BUSHBY, Esq. Secretary to the Government of India, to F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, No. 206, dated Council Chamber, the 19th February, 1848.*

I am directed to forward to you the accompanying copy of a letter from Captain Kittoe, dated the 8th instant, No. 2, and to request that the Right Hon'ble the Governor of Bengal will be pleased to issue to the local authorities under the Bengal Presidency, instructions in accordance with the Circular Letter annexed to Captain Kittoe's communication. It should be understood; that no figures or objects of any kind should be removed without the official consent and authority of the Magistrate of the district.

Home Department.

2. You are also requested to instruct the Inland Steam Navigation Department to afford such assistance to Captain Kittoe as can be rendered without inconvenience to the public service, for the conveyance to Calcutta of such specimens of sculpture as Captain Kittoe may from time to time desire to transmit.

*From Captain M. KITTOE, Archæologist, to G. A. BUSHBY, Esq. Secretary to Government, Home Department, No. 2, dated Benares, the 8th February, 1848.*

In reply to your letter No. 104, of the 29th ultimo, I have the honor to state (with regard to the first question) my wish for the local authorities to exercise their influence in obtaining information according to the spirit of the Circular issued by Government at the close of 1844; however, the better to explain my meaning, I annex a draft for a Circular which can be curtailed or otherwise, as His Lordship the Right Hon'ble the Governor General may see fit.

The precise nature of the aid required from local authorities.

2. Where such may be done without difficulty, I would recommend that the Magistrates be empowered to detach a gang of prisoners to clear rubbish and expose objects of interest. By this arrangement much may be gained and at no expence to Government; for instance in the vicinity of Gyah there are—1st, the two large caves of Barabur requiring to be cleared (Mr. Lautour the late Magistrate had promised to do this);—2d. The ruins of the Tope of Bukrour;—3d. The mound at Koorkihar;—4th. The caves of the stone Bundhar, Rajgriha;—5th. The tumuli of Chillor near Sherghottee: I attach much importance to all these; splendid specimens of sculpture could thus be obtained without cost, and without the slightest objection in any way.

Recommends the use of convicts.

3. The freight I am likely to require would be small as to space; it would not be necessary to send all at one time; the amount might be limited. The specimens would remain at Dinagepore with the Steam Agent, to be shipped at leisure; the same at this place (Benares). For instance, I have obtained a valuable curiosity which I propose to send as soon as it shall have been cleaned; its mean measurement is  $4 \times 1-6 + 1-6 =$

What freight I am likely to require.

No. 4, of 1848.

Suggests public cattle being employed.

Objects intended to be sent shortly.

12 square feet at  $1\frac{1}{4}$  maund to the foot, or 15 maunds weight; this is large in comparison with the generality of specimens I should have to send.

4. I would suggest, that from Gyah to Dinapore, expence might be saved by Commissariat Cattle and Tumbrils being employed.

5. The objects I should first procure are several fine figures of Budha from the mound of Koorkihar, and one of Siva from that of Chillor, weighing 10 to 15 maunds each, of black chlorite.

*Proposed Circular.*

In accordance with instructions received from the Hon'ble Court of Directors in their letter dated 27th January 1847, and the Right Hon'ble the Governor General having appointed Captain Kittoe to the duty of investigating the antiquities of this Presidency, and of collecting such specimens of sculpture and objects of curiosity for the Hon'ble Court's Museum, the removal of which would not be objected to by the inhabitants, I am instructed to request you will afford him the benefit of your influence with the native gentry and others in the furtherance of this object, and in procuring for him general information as to any antiquities, particularly inscriptions, existing within your district.

## No. CXCVIII.

### TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANTS IN THE THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 5, of 1848.

No. 5 —Dated Garden Reach, 20th April, 1848.

Measures to be adopted when actions in courts of law are brought against officers of Govt. for acts done in the discharge of their official duties.

I HAVE the honor to forward you the accompanying copy of a letter, No. 689, dated the 12th instant, to my address from Mr. Secretary Halliday, conveying the orders of the Right Hon'ble the Governor of Bengal regarding the measures to be adopted when actions are brought against officers of the Government in courts of law, for acts done in the discharge of their official duties.

2. I am sure that all officers of the Government will appreciate the value of the boon conferred on them by this rule of practice.

*From F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 689, dated 12th April, 1848.*

G O. 12 April, 1848.

Judicial.

I am directed by the Right Hon'ble the Governor to acknowledge the receipt of your letter No. 583, of the 17th ultimo, in which you draw His Lordship's attention to the position in which Magistrates and other officers of Government are placed, when



actions are brought against them in courts of law for acts done in the discharge of their official duties, in consequence of the system at present pursued of leaving them to defend themselves at their own expense in every case, and only reimbursing them after the conclusion of the trial, if from the facts then developed, it should appear that they had conducted themselves legally and properly in the matters which occasioned the action.

2. After carefully considering the subject, His Lordship has come to the conclusion that it will be right that the officers of Government so situated should be relieved from the necessity, which must often press heavily upon their means, of advancing the funds required for defending themselves against actions, which may often be prompted by malice or litigiousness.

3. With this view, His Lordship has determined as the course to be pursued on such cases in future, that on the institution of any action against an officer of the Government for acts done in the discharge of his public duty, he should communicate the fact through the usual official channel, reporting all circumstances which may be necessary to enable the Government to arrive at a decision on the real merits of the case. If on full examination into the case and on a fair and reasonable interpretation of his proceedings, the officer shall appear to have acted rightly, he will be directed to take the necessary steps to defend himself, the Government advancing the funds necessary for that purpose, to be refunded after the issue of the action is known, in case the circumstances then brought to light should prove the officer to have acted improperly. If, on the other hand, upon examination of his case by the Government, his conduct shall appear to have been clearly wrong, he will be informed that the Government will not interfere, and that he must defend himself at his own charge.

4. Under such a rule as this, His Lordship conceives that public officers will not be led to feel that they can fall back on the Government for defence in every case, whether their conduct may have been right or wrong. They will be sensible that they can look for assistance only when they may appear to have entirely deserved it, and therefore their sense of responsibility will remain as keen as heretofore.

5. Regarding Mr. ———'s case, which gave rise to your communication, His Lordship has been informed that the action against that officer has been non-suited.

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*C. O. Nizt. Adwt. No. 12 of the 12th May, 1848, and C. O. Board of Rev. No. 708 of the 2d May, 1848.*

## No. CXCIX.

TO THE SECRETARIES TO FERRY FUND COMMITTEES IN  
THE LOWER PROVINCES.

No. 6, of 1848.

No. 6.—Dated Garden Reach, 18th May, 1848.

Statements of works under the Ferry Fund Committee to be prepared yearly as per form.

\* Supersedes No. CLXXIX.

See C. O. Supt. of Pol. L. P. No. 1, of 9th January, 1850.

WITH advertence to the 11th Rule, of the new series, for the future appropriation of the surplus Ferry Funds, forwarded with my Circular No. 2, of the current year, I think it as well to intimate that you should in future dispense with the transmission of the half-yearly statement hitherto forwarded to my office under Circular No. 2,\* of 1846, substituting in its room an annual one, in the same form with an additional column in which should be specified the works to which the Committee's attention will be directed in the ensuing year. To guard against mistakes I annex a form thereto.

2nd. Considerable uncertainty appearing to prevail as to the nature of the balance to be inserted in column 6, I take this occasion to mention for your particular attention, that it should consist of all sums in hand, even such as have been appropriated to works which may remain incomplete at the close of the period under review.

*Annual Statement of Public Works chargeable to the Ferry Funds completed during the year and remaining incomplete at the close of the above period.*

| 1                 | 2                                                                                                                             | 3                                                                                                       | 4                                                                 | 5                                                                 | 6                                                 | 7                                                            | 8                                           | 9                          | 10                                     |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------|---------------------------------------------|----------------------------|----------------------------------------|
| Name of District. | List of works remaining incomplete on the 31st December, with dates of Govt. and Suptd.'s sanction annexed to them severally. | List of works sanctioned by Govt. and the Supt. of Police, L. P. during the year, with sums sanctioned. | List of works in the foregoing columns completed within the year. | Amount disbursed on the works described in the foregoing columns. | Total balance available at the close of the year. | List of works remaining incomplete at the close of the year. | Works to be undertaken in the ensuing year. | Remarks by the Magistrate. | Remarks by the Suptd. of Police, L. P. |
|                   |                                                                                                                               |                                                                                                         |                                                                   |                                                                   |                                                   |                                                              |                                             |                            |                                        |

 Columns 2 and 3 should contain all works sanctioned either by Government, the Superintendent of Police, Lower Provinces, or the Committee.—See Circular Order, Superintendent of Police, Lower Provinces, No. 1, of 1850.

## No. CC.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANT SUPERINTENDENTS IN THE THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 7.—Dated Garden Reach, 18th October, 1848.

No. 7, of 1848.

IN compliance with instructions from the Government of Bengal, I am directed to request your attention to the expediency of reducing as much as possible the bulk of public correspondence, in which it has appeared to the Right Hon'ble the Governor that there is a great deal of unnecessary repetition in cases of minor importance.

Bulk of correspondence to be reduced as much as possible.

See C. O. No. XVI. page 14, and No. CLXIII. page 128.

2nd. It is impracticable to lay down any precise rules on such points as these, but as the practice now prevailing entails a great amount of delay and needless inconvenience on the various officers of the service, a general rule, however, may be laid down, that in cases of minor importance, and certainly in all cases where the mere report of an occurrence or the solicitation of formal sanction is made, the reference to each authority should not be as is generally the case at present, by the transmission of several enclosures, being originals or copies of each reference from the several subordinate officers in succession, but by a single letter or endorsement, and this rule should be applied wherever it may be practicable.

4th. In cases which involve an important principle, or which may be intricate in their details, and which may have produced elaborate discussion which cannot be rightly conveyed by any abbreviation, it will of course be proper that the mass of the papers should be forwarded, but this must always be avoided when practicable.

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*From G. A. BUSHBY, Esq. Secretary to the Government of India, Home Department, to F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, No. 843, dated Council Chamber, the 16th September, 1848.*

I am directed to transmit to you for the information of the Right Hon'ble the Governor of Bengal, the accompanying copy of a letter this day addressed to the Officiating Secretary to the Government of the North Western Provinces under the orders of the Governor-General in Council.

Home Department.

No. 7, of 1848.  
 G. O. 16 Sept. 1848.

*From G. A. BUSHBY, Esq. Secretary to the Government of India, Home Department, to C. ALLEN, Esq. Officiating Secretary to the Government of the North Western Provinces, No. 709, dated Council Chamber, 16th September, 1848.*

Home Department.

I am directed to acknowledge the receipt of your letter, No. 4239, dated 21st ultimo, and its enclosure, conveying information of the death of Mr. Tierney the Civil and Sessions Judge of Allyghur, and I am instructed to request the attention of the Lieutenant Governor to the mode adopted in making such formal communications to the Supreme Government. There appears to the Governor-General in Council to be a very unnecessary repetition of the information, which it is desired to convey, in nearly all cases of minor importance which have come under his observation. In the present case the simple fact which is communicated is repeated three times over on as many sheets of paper. If such a practice as this prevails, as His Lordship in Council has reason to believe that to a great extent it does through all the various departments of the public service, it seems quite impossible to estimate the amount of time, labor and material which must be thrown away, and the consequent great increase in the public expenditure. It is not possible even to hazard a guess at the actual result of such a practice, but it appears to His Lordship in Council, that if it prevails as a system in a greater or a less degree throughout every grade and department of an immense Government like that of India, that the establishments at all events must be generally larger than is necessary. Another evil and one of no small magnitude in a country like India where the Mails for the most part are carried upon men's shoulders, is the overloading of the daks, which must be a necessary result of such a system as that under notice. This evil has been already strongly represented by the Post Master General of Bengal, who has urged upon the Government the necessity for some steps in order to ensure a greater economy of material on the part of the public officers in conducting their official correspondence through the channel of the public daks.

2nd. The Governor-General in Council is well aware of the inexpediency and indeed impracticability of laying down any precise rules on such points as these, but he considers that the evils of the system are so far obvious, as to call for the attention of the several Governments to the subject. As far as regards the communication between the Supreme Government and the subordinate Presidencies, His Lordship in Council conceives that it may be generally understood, that in cases of minor importance and certainly in all cases where the mere report of an occurrence is made, the necessary information shall be conveyed by a single letter from the Secretary to the Government. His Lordship in Council further regards it as quite within the discretion of the local Government to apply the same rule to cases of reference where the point at issue may be simple, and admits of being briefly and clearly stated. In cases which involve an important principle or which may be intricate in their details, and which may have produced elaborate discussions which cannot be rightly conveyed by any abbreviation, it is of course proper that the mass of the papers should be forwarded to the Supreme Government.

3rd. With this general intimation of what appears to His Lordship in Council to



be requisite, he would leave it to the local Governments to apply a similar principle as far as they may deem it expedient to do so, to the correspondence carried on between themselves and the various departments subordinate to them.

No. 7, of 1848.

4th. A copy of this letter will be furnished to the Governments of Bengal, Madras and Bombay respectively.

*Memorandum. On the 18th October, 1848, the Government of Bengal circulated the instructions contained in the foregoing correspondence, to the Sudder Court, the Boards of Revenue and Customs, the Military and Medical Boards, the Superintendent of Police, Lower Provinces, the Superintendent of Marine, the Commissioners of Chittagong, Patna, Bhagalpore, Moorshedabad, Dacca, Jessore, Cuttack, Assam, Arracan, and Tenasserim, and to the Agent to the Governor-General, South Western Frontier; to the Governor of Prince of Wales' Island, Singapore and Malacca, and to the Post Master General.*

1. The Sudder Board of Revenue have observed, that some Collectors are in the habit of making allusion in their English reports and letters to Commissioners, to the contents of vernacular documents, instead of describing briefly the purport of them in English; I am therefore desired to request, that you will point out to your subordinates, that though it may in many cases be proper to submit vernacular proceedings for reference, if necessary as well as in corroboration of the facts narrated in the English correspondence, the latter ought to contain in itself, all the particulars necessary to elucidate the subject of report irrespectively of the vernacular proceedings.

C. O. Bd. of Rev.  
No. 732 of 1849.

English correspondence to contain all necessary particulars to elucidate the subjects treated of, without reference to vernacular papers.

2. To ensure the proper observance of this rule, you will be pleased to intimate to your subordinates that any report not complete and intelligible in itself\* will be returned for revision.—*Circular Order, Board of Revenue, No. 732 of the 10th April, 1849.*

\* See C. O. No.  
CXLIII.

## No. CCI.

### TO THE SECRETARIES TO THE FERRY FUND COMMITTEES, LOWER PROVINCES.

No. 8.—Dated Garden Reach, 4th November, 1848.

No. 8, of 1848.

UNDER Orders from the Hon'ble the Deputy Governor of Bengal, I have the honor to request that a memorandum of Funds at the credit of the Committee, do invariably accompany all future applications to this office for sanction to outlays on works, &c. contemplated by the Committee.

Memo. of Ferry Funds on hand to be forwarded with applications for sanction to outlays.

See C. O. No.  
CXCIV.

CIRCULAR Order No. 1 of the 13th January, 1849, called upon all Ferry Fund Committees, excepting those at Furreedpore and Moorshedabad, to make suggestions for the disposal of the Surplus Ferry Funds.

No. 1, of 1849.

No. 2, of 1849. **C**IRCULAR Order No. 2 of the 21st March, 1849, intimated the intention of the Superintendent of Police, Lower Provinces, to return from Keshennugger to Calcutta by the 31st March.

Nos. 3 & 4, of 1849. **C**IRCULAR Orders Nos. 3 and 4, both dated the 28th April 1849, circulated lists of police and ministerial officers who had been dismissed from Government employ, and who "are not eligible for re-employment without a special reference" to the Superintendent of Police, Lower Provinces.

No. 5, of 1849. **C**IRCULAR Order No. 5, of the 4th December, 1849, instructed all officers subordinate to the Superintendent of Police, Lower Provinces, to superscribe all letters addressed to him, "on his tour."

## No. CCII.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANT  
GENERAL SUPERINTENDENTS, THUGGEE DEPT., LOWER  
PROVINCES.

No. 6, of 1849.

No. 6.—Dated on the river, 5th December, 1849.

No building to be purchased for public purposes without the previous survey and report of the executive officer.

**I** HAVE the honor to annex for your information and guidance, an extract from para. 6, of a despatch from the Hon'ble the Court of Directors, No. 13, of 1849, dated the 29th August last.

*Extract from a Despatch from the Hon'ble the Court of Directors to the Government of Bengal, in the Judicial Department, under date the 29th August, No. 13, of 1849.*

Repair of the Deputy Magistrate's Bungalow at Junalpoore.

Para. 6. With reference to the alleged dilapidated state of the Bungalow when purchased on the part of Government by Mr. ———, we are of opinion that the circumstances stated in the correspondence connected with the case, are of so questionable a character that notwithstanding the time that has elapsed, that gentleman should be called on for an explanation of the part he took in the transaction. No building must in future be purchased for public purposes without the previous survey and report of the Executive Officer of the District, and we desire that you will make known to the service generally this our injunction.

*See Circular Order, Board of Revenue, No. 767, dated the 14th December, 1849.*

**No. CCIH.****TO THE SECRETARIES TO THE FERRY FUND COMMITTEES,  
LOWER PROVINCES.**

No. 1.—Dated Dacca, 9th January, 1850.

**T**O obviate a misconception which obtains as to what works should be included in Columns 2 and 3, of the annual statement which you were required to furnish to my office, by my Circular No. 6 of 1848, I beg to intimate for your information and guidance, that those Columns should contain all works sanctioned either by the Government, myself, or the Committee at its own discretion.

No. 1, of 1850.

What works are to be included in Cols. 2 and 3 of annual statement of works under Ferry Fund Committee.

C. O. No. CXCI.

**No. CCIV.****TO THE MAGISTRATES, JOINT MAGISTRATES, AND THUGGEE  
ASSISTANTS, LOWER PROVINCES.**

No. 2.—Dated Dacca, 14th January, 1850.

**I**HAVE the honor to annex for your information and guidance, copy of Circular, No. 1674 of the 20th ultimo from Mr. Under-Secretary Dalrymple and of its enclosure, being the Advocate General's opinion in regard to the obligation of public officers to produce the records of Government in Her Majesty's courts under a subpœna.

No. 2, of 1850.

Obligation of public officers to produce records of Govt. in Her Majesty's courts under subpœna.

*From J. W. DALRYMPLE, Esq. Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 1674, dated 28th December, 1849.*

I am directed by his honor the Deputy Governor of Bengal to forward for your information and guidance, and for communication to all officers subordinate to you, the accompanying copy of an opinion, given by Mr. Advocate General Colvile, in regard to the obligation of public officers to produce the records of Government in Her Majesty's Courts in compliance with a subpœna to that effect.

Judicial.

*From J. W. COLVILE, Esq. Advocate General to G. A. BUSNBY, Esq. Secretary to the Government of India, dated the 8th August, 1848.*

The question submitted to me by your letter of the 29th of July, touching the obligation of a public officer to produce the records of Government in the Supreme Court,

No. 2, of 1850.

in compliance with a subpoena to that effect, appears to me to admit of a different solution according to the nature of the case. The obligation in cases in which the East India Company is a party, is, I conceive, different from what it is in cases between individuals.

2nd. As to the former class of cases, I consider that as the corporate body the East India Company, though entrusted with the functions of Government in many cases, sues and is sued like any private corporation in the courts of the country, so it is entitled to the privileges as well as subject to the liabilities of ordinary suitors.

It follows therefore, that in an action at law against the Company, a subpoena *duces tecum* to a public officer, requiring him to produce official documents, is inapplicable, because his possession of the documents in question is the possession of the Company whose servant he is; that a notice to produce the documents should be served upon the Company in the usual way; that it is in the Company's option to refuse to produce, the opposite party acquiring on such refusal and proof of the notice, the right to give secondary evidence of the existence and contents of the original documents. I do not think that in a case against the Company the production of documents in the custody of its servants can be compelled, except by a bill in equity; and that even in such cases, the court would readily listen to the argument that the documents of which the production was sought were such as could not be produced without danger to the public interests. The Court of Chancery, in fact, acted on this principle in *Smith vs. The East India Company*, 1 Phill. 50, and ruled that a correspondence between the Court of Directors and the Commissioners for the affairs of India, touching the matters in dispute in the cause (a mere question about freight) was a privileged communication. I feel bound, however, to say, that as far as my experience has gone, Government in this country acts with extreme liberality in all proceedings to which it is itself a party, with respect to the production of public documents, or the admission of certified copies.

3rd. As to the 2nd class of cases, two questions arise; 1st, what is the law and practice of England on this subject? 2ndly, how far are that law and that practice modified by any statutes or circumstances peculiar to this country? Now in England a witness duly served with a subpoena *duces tecum* must, I apprehend, bring into court the instrument which he is specifically required to produce, and state the grounds (if any) on which he declines to produce it. The sufficiency of those grounds is matter for the judgment of the court. It is perfectly clear, however, that if the witness object that the document in question is of an official and confidential nature, and such as it would be against the interests of the State to produce, the court will give the fullest effect to the objection and not insist on the production. It is also clear, I think, that if this appear to be the case from the nature of the document, a party to the suit may by his counsel successfully object to the reception of the evidence as involving a disclosure which is against public policy, *Anderson vs. Hamilton*, 2 B. and B. 156. *N. Howe vs. Bentinck*, 2 B. and B. 130, *Atherford vs. Beard*, 2 T. R. 610. The usual practice in England is for the witness to attend and to bring the papers into court, and the cases I have cited, afford proof of the attendance of Secretaries of



State, as e. g. Lord Grenville and Lord Liverpool. I conceive, however, that the non-attendance or non-production of the papers might be defended either in an action for such non-attendance or non-production, or on proceedings as for a contempt in court, by proof, that the production of the documents if brought into court, would not have been allowed upon grounds of public policy. In the case, however, of *the Queen vs. Lord John Russell and Mr. Fox Maule*, the rule for the attachment, though discharged, was discharged *without costs*, because it appeared that they, although they appeared in court on their subpœna, did not produce the documents, and therefore had only imperfectly obeyed the process of the court.

17th Dowl. 693.

4th. I am not aware that the law and practice of England have in their application to India been modified by any enactment, unless it be that referred to by Mr. Bethune, viz. the 21st Geo. III. C. 70, S. 2. Under that enactment, I think a written order of the Governor General in Council requiring the officer not to produce the document in question, would be a sufficient justification of his disobedience of the subpœna, whether in an action or in proceedings as for a contempt. The recent decision at Madras in *Vencataroy, Aloo Nainoo, vs. Sir Henry Montgomery, and another*, confirms Mr. Bethune's view, that under the statutes 39 and 40 Geo. III. C. 79, and 4 Geo. IV. C. 71, a written order of the Governor in Council at Madras or Bombay will give the same immunities in the courts there, as a like order of the Governor General in Council at Fort William would give in the Supreme Court here. I must confess, however, (speaking with great deference in opposition to such authorities) that this construction appears to me to be somewhat forced and not very sound. I conceive those statutes to give to the written order of the *Governor General in Council*, the same force in the new courts of Madras or Bombay, as it had under the former statute in the existing court at Fort William; but that the immunities which they give to the Governor and Councillors of the minor Presidencies are personal, and such as belonged to the Governor General and Council at Fort William before the passing and independently of the 21. Geo. III. C. 70; and generally, I think the question whether documents of a public nature ought to be produced may safely be left, and that it had better be left, (as in England) to the decision of the court, because the exercise of this power of the Governor General in Council is not unlikely to subject Government, however unjustly, to the imputation of having arbitrarily suppressed evidence necessary to the determination of the rights of the parties, to the production of which there was no legal objection.

I fully concur in what has been said with respect to the loose system of issuing subpœnas in the general form complained of, and think that such may be safely disobeyed. The documents required ought to be specified.

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*Circular Order, Board of Revenue, No. 770, dated the 21st January, 1850.*

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No. 3, of 1850.

CIRCULAR Order No. 3, of the 19th January, 1850, called for lists of Darogahs, Mohurirs and Jemadars attached to each Thannah, and also of "recommendatory rolls" of Darogahs deserving of promotion.

No. 4, of 1850.

CIRCULAR Order No. 4, of the 25th February, 1850, required that letters intended for the Superintendent of Police, Lower Provinces, should be addressed to him at Garden Reach.

## No. CCV.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANT  
GENERAL SUPERINTENDENTS, THUGGEE DEPARTMENT,  
LOWER PROVINCES.

No. 5, of 1850.

No. 5.—Dated Koolnah, 28th February, 1850.

What information is to be furnished with applications for superannuation pensions.

I HAVE the honor to annex for your information and guidance, an extract from a despatch from the Hon'ble the Court of Directors addressed to the Government of India in the Financial Department, dated the 18th of December last, No. 31.

*Extract from a Despatch from the Hon'ble the Court of Directors addressed to the Government of India in the Financial Department, dated the 18th December, 1849, No. 31.*

Letter from, dated 26th May, 1849, No. 18. P. 65. A pension of Rs. 8-8 per mensem has been granted to Gunga Gobind Gooptoo a native writer in the Military Auditor General's office, after 24 years service.

15th. The medical certificate in this case is unsatisfactory, as it does not specify the disease with which Gunga Gobind Gooptoo is afflicted, but simply reports him to be suffering from the effects of long continued illness and unfit for the performance of his duties.

16th. To enable us to decide upon the propriety of allowing the retirement upon pension of the uncovenanted servants of Government, it is desirable that we should be placed in possession of detailed information regarding their several cases. The nature of the complaint, and whether, or not, it has been induced by irregular or intemperate habits, are points on which it is especially necessary to afford us information.

17th. We beg this may be attended to in future.

*See Pension Rules, in the appendix.*

## No. CCVI.

TO THE MAGISTRATES AND JOINT MAGISTRATES OF  
BENGAL.

No. 6.—Dated Garden Reach, 4th May, 1850.

No. 6, of 1850.

IT has come to my knowledge that many of the young men who have had the advantage of a good education at the Government and other\* institutions, would gladly enter into the Police, if encouragement was held out to them, now that the situation of a Darogah has been made more respectable and promotion is held out for good conduct.

To encourage educated young men to enter the Police service.

\* This includes persons educated at the Madrisa.

2. The admission of this class into the Police would not only add to its efficiency, but also to the integrity of the body, and I wish you would hold out encouragement to young men of this class to come forward as candidates for employment in the Police, giving them *cæteris paribus*, the preference over others.

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*See also Circular Orders, Superintendent of Police, Lower Provinces, No. 8, of the 26th June, 1850, and No. 1, of the 13th January, 1853.*

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## No. CCVII.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSIST-  
ANT GENERAL SUPERINTENDENTS THUGGEE DEPART-  
MENT, IN THE LOWER PROVINCES.

No. 7.—Dated Garden Reach, 21st June, 1850.

No. 7, of 1850.

WITH advertence to my circular No. 12, of 1844,† I have the honor to annex a revised form of Tabular Statement to be used, instead of the one forwarded with the above circular in all cases in which it may appear to be applicable.

Revised form of Tabular Statement to be used in applications for establishment.

† C. O. No. CLII.  
page 138.

*Form of Tabular Statement of Establishment.*

[illegible]



I am directed by the Court to forward for your information and future guidance, the accompanying copy of a letter No. 848, dated the 21st May, 1851, from the Under-Secretary to the Government of Bengal, directing, whenever there may be occasion to require the aid of establishments of a contingent and temporary character, the submission, in every practicable case, and when time will admit of it, of a statement of these extra charges, in order that they may be sanctioned by Government before they have been actually incurred.

No. 7, of 1850.

C. O. Nizt. Adwt.  
No. 86 of 1852.

Regarding the employment of contingent and temporary establishments.

*From W. SETON-KARR, Esq. Under-Secretary to the Government of Bengal, to the Register of the Sudder Court, No. 848, dated the 21st May, 1851.*

G. O. 21st May,  
1851.

General.

1. With reference to certain instructions recently received from the Hon'ble Court of Directors through the Financial Department, I am directed by the Deputy Governor of Bengal to request that the Court, when it may have occasion to require the aid of establishments of a contingent and temporary character, will submit in every practicable case, and when time will admit of it, a statement of these extra charges, in order that they may be sanctioned by Government before they have been actually incurred.

2. The Court are requested to impress this on the local and subordinate authorities of the department.—*Circular Order, Nizamut Adawlut, No. 86 of the 11th June, 1852.*

*See Circular Order, Board of Revenue, No. 17 of the 3rd June, 1851.*

## No. CCVIII.

### TO THE MAGISTRATES AND JOINT MAGISTRATES IN BENGAL.

No. 8.—Dated Garden Reach, 26th June, 1850.

No. 8, of 1850.

WITH reference to my Circular No. 6 of the current year respecting the employment of educated natives in the Police force, I would suggest your addressing the heads of the Hooghly, Kishnagur, Dacca and Hindoo Colleges, and also the Superintendent of the Madrissa, requesting to be furnished with a list of candidates educated at these institutions, who may be desirous of employment in the Police of your district.

Heads of educational establishments to be asked for lists of candidates for employment in the Police.

C. O. No. CCVI.

2. If you know of any private institutions you might also address the heads of these.

*See Circular Order, Superintendent of Police, Lower Provinces, No. 1 of the 13th January, 1853.*

## No. CCIX.

## TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 9, of 1850.

No. 9.—Dated Garden Reach, 8th July, 1850.

Rule laid down in submitting applications for leave from Assistants to Magistrates and Collectors.

**I** AM directed by the Hon'ble the Deputy Governor of Bengal to forward you the new rule laid down for the submission of applications for leave of absence by Assistants to Magistrates and Collectors and by Joint Magistrates of whatever grade not in charge of sub-divisions, and you will make the rule generally known to your Assistants and strictly conform to it in future.

Rule of 8th July, 1850.

RULE DATED 8TH JULY, 1850.

Modifies rule in C. O. No. 80 of the 15th December, 1837, No. III. page 4.

Every Assistant, whatever be his powers, and every Joint Magistrate and Deputy Collector of the 2nd Grade if not in charge of a sub-division or of some independent office of higher rank, requiring leave of absence shall write a letter addressed to the Collector of his district, to be submitted first to the Magistrate, who, if he sees no objection to a compliance with the application, will endorse the letter with a statement to that effect, and if otherwise, will briefly state on the letter his reasons for objecting to a compliance.

The letter with the Magistrate's Remarks will then be forwarded by the Magistrate to the Collector, who will transmit it in original similarly further endorsed by himself to the Commissioner. This latter officer will use his own discretion in forwarding the original application directly to the Government for sanction, or in declining to do so.

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*See Circular Order, Board of Revenue, No. 811, dated 16th July, 1850.*

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## No. CCX.

## TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 10, of 1850.

No. 10.—Dated Garden Reach, 14th August, 1850.

Sums of money not to be retained in deposit unnecessarily.

\* See C. O. No. C. page 84.

**B**EING apprehensive from an instance just brought to my notice, that the practice may be a prevalent one at the different magistracies of retaining sums unnecessarily in\* deposit, such for example as have been sanctioned but not expended for the repairs of tents, thannahs, &c. and such as have been realized by the sale of old thannah buildings, &c., I have the honor to direct that you enter upon a retrospective examination of the accounts

of your office, and on discovering any irregularities of the kind alluded to, forthwith carry such items to the credit of Government, and also that you take measures to prevent the recurrence of this objectionable proceeding in future.

No. 9, of 1850.

## No. CCXI.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANT SUPERINTENDENTS, THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 11.—Dated Garden Reach, 1st November, 1850.

No. 11, of 1850.

I HAVE the honor to annex for your information and guidance copy of an extract from a despatch of the Hon'ble the Court of Directors, No. 27 of 1850, dated the 10th July. I request your particular attention to the instructions therein contained.

Officers dismissed for misconduct in one department not to be employed in another department.

*Extract from a despatch from the Hon'ble the Court of Directors addressed to the Government of India in the Financial Department No. 27 of 1850, dated the 10th July.*

Para. 19th.—We consider it so injurious to the service that men who have been dismissed for misconduct from one Department, should be considered eligible for re-employment in any other Department, that we must entirely discountenance such a practice. It is a wholesome check upon negligence and dishonesty for the servants of Government clearly to understand that probity and diligence are the only means of retaining employment under Government.

*Circular Order, Nizamut Adawlut, No. 23 of the 22nd November, 1850, and Board of Revenue No. 834 of the 12th idem.*

The Court, under instructions from Government, No. 1597, dated 21st October last, direct me to inform you that the rule laid down by the Hon'ble the Court of Directors in their despatch No. 27, of the 10th July, 1850, an extract from which was circulated with their Circular Letter No. 23, of the 22nd November following, was not intended to apply to cases of inaptitude for some particular branch of occupation to which a native servant may have been originally appointed, and from which it may have been necessary on that account only to displace him.

C. O. Nizt. Adwt. No. 75 of 1851.

Rule in Court's despatch of 10th July, 1850, explained.

*Circular Order, Nizamut Adawlut, No. 75 of the 17th December, 1851.*

## No. CCXII.

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.

No. 12, of 1850.

No. 12.—Dated Garden Reach, 7th November, 1850.

Assistants to be employed in the interior on revenue duties, when any, and Magistrates to continue in charge of their office while on tours, only providing for superintendence of the Jail.

See No. LXII.

I HAVE the honor to acquaint you that the Assistants subordinate to you will be employed in the interior on settlement or other revenue duties, when there is any such work for them during any part of the cold weather as though the whole of their time were at the disposal of the Collector.

2. His Honor the Deputy Governor observes, that there can be no reason for limiting the period of the Magistrates' tours to the interior of their districts. His Honor is not aware of the necessity for a Magistrate going into the interior, leaving any one in charge of his office at the Sudder Station. Wherever the Magistrate may be in his district he is there in charge of his own office. The only duty which he cannot conduct in one part of his district as well as another is the superintendence of his Jail, and for this he must make the same arrangements, whilst his Assistant is absent employed on revenue duties, that he would adopt if he happened to have no Assistant attached to his district, an occurrence which is not unfrequent.

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*See Circular Order, Superintendent of Police, Lower Provinces, No. 2 of the 28th January, 1854.*

C. O. Board of Rev.  
No. S24 of 1850.

Covenanted Assistants to be employed in the cold weather on revenue duties in the interior of districts.

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With reference to the instructions which have from time to time been issued from this office respecting the employment of Assistants in the interior, during a portion of the cold season, I am instructed to forward for your information and for communication to the Collectors, copy of a letter from the Secretary to Government, dated the 16th ultimo, No. 761, and to request that you will make arrangements for the employment of all the Assistants of your Division in revenue work in the interior during a portion of the ensuing cold weather.

2. If there are no settlements to be made, there are always in every district some cases pending, in which enquiries on the spot would be useful, and I am directed to request that before the 1st November, you will arrange on what duty each Assistant shall be employed.

3. As before directed, the Assistant's report is to be written by himself and sent for the Board's inspection.



*From the Secretary to the Government of Bengal, to the Secretary to the Sudder Board of Revenue, No. 761, dated 16th August, 1850.* No. 12, of 1850.

I am directed by the Deputy Governor of Bengal to acknowledge the receipt of your letter No. 319, dated the 19th ultimo, suggesting that all Magistrates be instructed to make their tours in the interior of their districts only during the months of November and December, in order that Assistants may be placed at the disposal of Collectors for employment in the interior of their districts, during the months of January, February and March. G. O. 16th August, 1850.

2. In reply I am directed to state, that His Honor fully concurs with the Board in attaching great importance to the employment of Assistants in revenue work in the interior of their districts, during every part of the cold season when there is any such work to be done; and he authorizes the Board to employ Assistants at that particular time of the year, whenever there is such work to be done, as though the whole of their time were at the disposal of the Collector.

3. His Honor sees no necessity for a rule restricting the tours of Magistrates to two particular months. Magistrates should be considered in charge of their own offices, in whatever part of the district they may be. As regards the superintendence of the jail, which is the only duty a Magistrate cannot personally perform when out in the district, the Magistrate must make the same arrangements when the Assistant is employed in the district in settlement or other duties under the Collector, as he would make if there happened to be, as is frequently the case, no Assistant attached to his district at all. The Superintendent of Police has been informed accordingly.—*Circular Order, Board of Revenue, No. 824, dated 3rd Sept. 1850.* See G. O. No. LXII.

*See Rules for the guidance of officers in charge of sub-divisions in the Appendix.*

CIRCULAR Order No. 13 of the 26th November, 1850, contained instructions for addressing letters intended for the Superintendent of Police, Lower Provinces, after the 8th December, "on his tour." No. 13, of 1850.

## No. CCXIII.

### TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE LOWER PROVINCES.

No. 14.—Dated Camp, Hooghly, 14th December, 1850.

No. 14, of 1850.

I HAVE the honor to acquaint you that a new General Commission of the Peace has been issued by the Supreme Court, comprising all the Covenanted Civil officers, Military officers holding civil appointments, and Deputy Magistrates under the Government of Bengal. Oaths of Justice of the Peace to be taken.

No. 14, of 1854.

2. You will cause your Assistants with full powers, whether at the Sudder Station, or in charge of a sub-division, and Deputy Magistrates in charge of sub-divisions to take the oaths according to Act 16\* of 1841.

\* See C. O. No. CLXXII.

P. S. If you have not already taken the oaths of Justice of the Peace, you will forthwith do so.

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FORMS OF OATHS.

*Oath of Allegiance.*

I A. B., do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty, Queen Victoria. So help me God.

A. B.

Sworn in Court by the said A. B. this — day of — in the year of our Lord 185—, at — before me,

C. D.

*Magistrate (or as the case may be.)*

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*Oath of Office.*

I A. B., do swear that, as Justice of the Peace for the Provinces dependent on Fort William in Bengal, in all articles in the Queen's commission to me directed, I will do equal right to the poor and to the rich after my cunning, wit, and power, and after the laws and customs of the realm and statutes thereof made; that I will not be of counsel of any quarrel hanging before me; and issues, fines, and amerciaments, that shall happen to be made, and all forfeitures which shall fall before me, I will cause to be entered without any concealment or embezzling; that I will not let for gift or other cause, but will well and truly do any office of Justice of the Peace in that behalf; that I will take nothing for any office of Justice of the Peace to be done, but such salary or fees as shall be expressly allowed me by lawful authority; and that I will not direct or cause to be directed any warrant by me to be made to the parties, but will direct them to bailiffs or constables lawfully appointed or other indifferent persons to do execution thereof. So help me God.

A. B.

Sworn in Court by the said A. B. this — day of — in the year of our Lord 185—, at — before me,

C. D.

*Magistrate (or as the case may be.)*

No. 1, of 1851.

CIRCULAR Order No. 1 of the 20th February, 1851, contained instructions for addressing letters to the Superintendent of Police, Lower Provinces, at Patna.

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**No. CCXIV.****TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.**

No. 2.—Dated 6th March, 1851.

No. 2, of 1851.

I AM directed by the Government of Bengal to acquaint you, that the Military Board having pointed out the danger of erecting thatched out-offices contiguous to public offices, you are not to erect any thatched buildings within the compound of public buildings without a reference to the officer of the department under whom those buildings may be.

Thatched out offices not to be erected within the compounds of, or contiguous to public buildings.

*See also Circular Order, Board of Revenue, No. 5 A, dated 4th March, 1851.*

**No. CCXV.****TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER  
PROVINCES.**

No. 3.—Dated Patna, 7th May, 1851.

No. 3, of 1851.

SEVERAL instances of, serious irregularities in their judicial proceedings on the part of some Magistrates having been brought to the notice of the Hon'ble the Deputy Governor of Bengal, His Honor has requested the Court of Nizamut Adawlut to issue instructions to the Sessions Judges to bring to their notice, cases in which the proceedings of the Magistrates evince a disregard of the laws laid down for their guidance leading to arbitrary abuse of their magisterial authority.

Magistrates to avoid irregularities in their proceedings, the Sessions Judges being required to notice any instance.

See C. O. No. I.

2. I send you this notice that you may not only be careful to avoid any irregularities in your own proceedings, but also see that those of your subordinate officers are regular and in due course of law.

C. O. Nizt. Adwt.  
No. 59 of 1851.

I am directed by the Court to send you an extract (paragraphs 8 and 9, from a letter from the Secretary to the Government of Bengal, No. 908, dated 28th ultimo, directing the sessions judges to bring to the notice of the Court, for ultimate report to Government in serious instances, cases of palpable disregard of the forms of law in the proceedings of a magisterial officer, detected on appeal, or otherwise.

Sessions Judges to notice irregularities in the proceedings of the magisterial authorities.

No. 3, of 1851.

C. O. Nizt. Adwt.  
No. 59 of 1851.

*Extract (paragraphs 8 and 9,) from a letter from the Secretary to the Government of Bengal, No. 908, dated 28th April, 1851.*

Para. 8. For this reason the Deputy Governor requests that the Court will issue orders to the sessions judges, directing them to report to the Nizamut Adawlut every case of palpable disregard of the forms of law in the proceedings of a magisterial officer, which may come to their notice on appeal, or otherwise. The Court will inform the judges that they will be held strictly responsible for the proper discharge of this duty.

Para. 9. When such a case is reported to the Court in this manner, the Court will take such notice of it as may seem to them proper. And the Court will always report to Government every serious instance in which any Magistrate is found by them to have made himself a second time justly liable to blame, for disregard of the forms of law.—*Circular Order, Nizamut Adawlut, No. 59 of the 16th May, 1851.*

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## No. CCXVI.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANT  
GENERAL SUPERINTENDENTS THUGGEE DEPARTMENT,  
LOWER PROVINCES.

No. 4, of 1851.

No. 4.—Dated Patna, 2nd June, 1851.

Money granted for a specific object not to be applied to any other purpose.

G. O. 28th May, 1851.

I HAVE the honor to annex for your information copy of a letter No. 150, dated the 28th May, 1851, from Mr. Under-Secretary Seton-Karr.

*From W. SETON-KARR, Esq. Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 150, dated 28th May, 1851.*

Revenue.

A case having recently occurred in which an officer continued many months to draw a sum of money granted for a specific object when that object had been otherwise provided for, and thus appropriated to his own use a sum to which he had no title, inasmuch as it should immediately have been saved to the State, I am directed by the Deputy Governor of Bengal to inform you that the Court of Directors, after severely censuring the conduct of the officer in question, have intimated that any such delinquencies will in future be punished by dismissal from the service of Government.

2nd. You are requested to issue a Circular to the above effect for the guidance of your subordinates.

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*See also Circular Order, Nizamut Adawlut, No. 62 of the 26th June, and Board of Revenue, No. 19, of the 6th June, 1851.*

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CIRCULAR Order No 5 of the 14th June, 1851, called for a report on the working of Acts XII. and XIII. of 1850. No. 5, of 1851.

CIRCULAR Orders Nos. 6 and 7, both of the 6th August, 1851, circulated a further list of police and ministerial officers who were dismissed "for disqualifying offences," and who are not eligible for re-employment without a special reference to the Superintendent of Police, Lower Provinces. Nos. 6 & 7, of 1851.

## No. CCXVII,

TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 8.—Dated Patna, 8th September, 1851.

No. 8, of 1851.

THE Resident at Lucknow having represented to me, that considerable expense and trouble are caused by Magistrates sending up persons from Oude, who may not give a satisfactory account of themselves, to be made over to their relations by the Durbar, I beg to point out to you that foreigners can only be sent out of the country under the provisions of Clause IV. Section VII. Regulation III. of 1821.

Directing attention to Clause IV. Sec. VII. Reg. III. of 1821, regarding deportation of foreigners.

See C. O. No. CLXIX.

*Fourth.*—If a Darogah of Police shall forward to the Magistrate any persons travelling through, or assembling in his division, under suspicious circumstances, the Magistrate having duly inquired into the grounds of their arrest, shall either release them, or adopt the precautionary measures directed in the preceding clause, or, if they appear to be travelling without any reasonable object, and to be inhabitants of a remote district, or subjects of a foreign state, he shall compel them to return, under a suitable guard, from station to station, to the district or territory from which they may appear to have proceeded.—*Regulation III. of 1821, Sec. VII. Clause IV.*

Reg. III. of 1821.

Rules for the guidance of Magistrates in the disposal of persons sent in by the Darogahs.

## No. CCXVIII.

TO THE MAGISTRATES, JOINT MAGISTRATES AND ASSISTANT  
GENERAL SUPERINTENDENTS THUGGEE DEPARTMENT,  
LOWER PROVINCES.

No. 9, of 1851.

No. 9.—Dated Patna, 29th September, 1851.

Officers of Govt.  
not to accept  
complimentary ad-  
dresses from par-  
ties with whom  
they have been offi-  
cially connected.

BY direction of the Hon'ble the Deputy Governor of Bengal, I have the honor to acquaint you that all officers of Government are prohibited from receiving complimentary addresses from parties with whom they have been officially connected.

*See Circular Orders, Nizamut Adawlut, No. 69 of the 29th September, 1851, and Board of Revenue No. 30 of 14th October, 1851.*

G. O. 12th April,  
1845.

*From F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, to B. J. COLVIN, Esq. Register of the Sudder Court. No. 661, dated the 12th April, 1845.*

Judicial.

With reference to the subject of your communication, No. 398, of the 23rd ultimo, I have the honor to request that the Court will be good enough to inform Mr. ——— of His Lordship's opinion that the receipt by Zillah Magistrates, and other Zillah functionaries, of complimentary addresses of the description alluded to, is inexpedient, and that Mr. ——— would have acted more judiciously if he had declined to receive an address from the Natives of his district, instead of accepting, and replying to it.

2. Mr. ——— should remember that servants of this Government ought to look to their official superior for praise when they deserve it, and not to those over whom they are placed in authority.

G. O. 9th Decem-  
ber, 1846.

*From F. J. HALLIDAY, Esq. Secretary to the Government of Bengal, to F. J. MORAT, Esq. Secretary to the Council of Education, No. 1130, dated the 9th December, 1846.*

Education.

The Deputy Governor has recently observed in the newspapers certain addresses said to have been presented by the students of some of the Government Colleges, and in one instance by a local Committee of public instruction, to officers employed in the education department, on the occasion of their promotion or removal.

2. His Honor regards the presentation of complimentary addresses of this kind, by students to their superiors, as a breach of discipline which ought to be promptly checked instead of being encouraged by acceptance and reply. The Council will probably agree with His Honor that to allow students openly to express their opinion of the qualifications and merits of their teachers, is directly subversive of the relation that ought to exist between them, and otherwise liable to grave objection.

3. A local Committee of public instruction may very properly, under certain circumstances record their opinion of the manner in which a Principal has performed his duties, but it would be well if testimonials of this kind were confined to cases of marked success or long and arduous service, and were drawn up rather in the form of an official resolution than in that of a personal address. In the instance alluded to, the Committee were doubtless prompted by the interest they take in the affairs of the institution over which they preside, and had their letter not been published in the newspapers His Honor would probably not have thought it necessary to notice it. But as the publication of such a document is likely, both here and in Europe, to affect injuriously the character of the educational institutions maintained by the Government of India, as well as to depreciate the value of official testimonials, the Deputy Governor has felt himself called upon to express his opinion on the subject for the future guidance of officers in the department.

No. 9, of 1851.

4. I am directed to request, that, with the Council's permission, instructions in conformity with His Honor's views may be given to the heads of the institutions under their immediate control.

CIRCULAR Order No. 10 of the 8th October, 1851, called for a "recommendatory roll" of a Darogah, for promotion.

No. 10, of 1851.

## No. CCXIX.

### TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE LOWER PROVINCES.

No. 11.—Dated Patna, 14th October, 1851.

No. 11, of 1851.

I HAVE the honor to request that your annual statements may be prepared and dispatched, so as to reach my office by the end of January at the latest.

Supt. of Police  
to be kept informed  
of progress  
of proceedings in  
heinous cases.

2. I also beg to call your attention to my predecessor's Circular No. 2, of the 30th January, 1839, as I observe that several Magistrates do not keep me regularly informed of the occurrence and progress of the investigation into heinous offences within their districts.

No. XLIX.

3. You will consider the rules of that Circular applicable to all murders, homicides, burglaries and thefts with murder or by drugging, and to affrays with homicide as well as to dacoities.

No. 1, of 1852.

CIRCULAR Order No. 1, the 21st January 1852, required that all letters, &c. intended for the Superintendent of Police, Lower Provinces should, after that date, be directed to him "on his tour."

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## No. CCXX.

TO THE MAGISTRATES, JOINT MAGISTRATES, AND ASSISTANT SUPERINTENDENTS IN THE THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 2, of 1852.

No. 2.—Dated Camp Mohunneah, 11th February, 1852.

Fees not to be charged to persons in the employ of Govt. for the preparation and execution of any documents by the law officers of Govt.

I HAVE the honor to furnish herewith for your information copy of a letter from Mr. Under-Secretary Dalrymple, No. 164, of the 14th ultimo, with its accompaniments, regarding the demand of fees from officers in the employment of Government for the preparation and execution of any documents connected with their appointment, which the law officers of the East India Company may be required to draw up.

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*From J. W. DALRYMPLE, Esq. Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 164, dated 14th January, 1852.*

Judicial.

\* No. 2, dated 26th ulto.

I am directed by the Deputy Governor of Bengal to forward for your information and for communication to the several officers subordinate to you, the accompanying copy of a communication\* from the Under-Secretary to the Government of India in the Home Department giving cover to a copy of a resolution recorded by His Honor the President in Council, ruling that no fees shall in future be charged to persons in the employment of Government for the preparation and execution of any documents connected with their appointments, which the law officers of the East India Company may be required to draw up.

C. O. 26th December, 1851.

Judicial.

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*From A. R. YOUNG, Esq. Under-Secretary to the Government of India, in the Home Department, to J. W. DALRYMPLE, Esq. Under-Secretary to the Government of Bengal, No. 2, dated Council Chamber the 26th December, 1851.*

With reference to my communication of the 3d October last, I am directed to forward for the information of the Hon'ble the Deputy Governor, copy of a Resolution this day recorded by the President in Council, ruling that no fees shall in future be charged to persons in the employment of Government for the preparation and execution of any documents connected with their appointment, which the law officers of the East India Company may be required to draw up.



No. 3.

No. 2, of 1852.

*Fort William Home Department the 26th December, 1851.*

Judicial.

Read again extract from the proceedings in the Military Department, No. 333, dated the 19th ultimo, relative to the fees demanded by the law officers of Government for drawing up Mr. Conductor Dames' Indemnity Bond, on his appointment as Superintendent of the Dhoon Canals.

Read also the explanation on the subject furnished by the Solicitor to the East India Company under date the 11th instant.

**RESOLUTION.** The President in Council, with a view to put a stop to the diversity of practice which has obtained in this respect, is pleased to resolve that in future, persons actually in the employment of Government, whether in the Civil or Military Department, shall not be liable to any charge for the preparation and execution of any documents connected with their appointments, which the law officers of the East India Company may be required to draw up by the heads of the offices or departments in which such persons may be employed.

**ORDERED** that a copy of the foregoing Resolution, together with a copy of Mr. Grant's explanation be forwarded to the Military Department for information, in reply to the extract from that department dated the 19th ultimo, and that the original papers be returned.

**ORDERED** that a copy of the foregoing Resolution be forwarded to the Financial Department for information and record.

*Circular Order, Nizamut Adawlut, No. 77, of the 23d January 1852, and Board of Revenue, No. 1, of the 6th February 1852.*

**CIRCULAR** Order No. '3, of the 29th March, 1852, required that all letters intended for the Superintendent of Police, Lower Provinces, should be addressed to him at Garden Reach, Calcutta. No. 3, of 1852.

## No. CCXXI.

TO THE MAGISTRATES, AND JOINT MAGISTRATES, ASSISTANTS GENERAL SUPERINTENDENT, THUGGEE DEPARTMENT, LOWER PROVINCES.

No. 4.—Dated Garden Reach, 9th June, 1852.

No. 4, of 1852.

**I** HAVE the honor to forward for your information and guidance, copy of letter No. 1090 of the 20th ultimo, from Mr. Officiating Under-Secretary Young to the address of the Superintendent and Remembrancer of Legal Affairs.

The Remembrancer of Legal Affairs may furnish Magistrates with his opinion on points of laws.

No. 4, of 1852.

G. O. No. 1090 of  
20th May, 1852.

Judicial.

*From W. GORDON YOUNG, Esq. Officiating Under-Secretary to the Government of Bengal, to W. TREVOR, Esq. Superintendent and Remembrancer of Legal Affairs, No. 1090, dated 20th May, 1852.*

With reference to the 2nd para. of your letter No. 342, dated the 28th ultimo, to the address of the Register of the Nizamut Adawlut, of which a copy has been received from that functionary. I am directed by the Most Noble the Governor of Bengal, to inform you that His Lordship has been pleased to approve of the rule therein suggested by you: viz.

#### RULE.

Rule.

The Remembrancer of Legal Affairs may furnish Magistrates when acting either administratively or Judicially with his opinion on points of law arising before them, which they may submit to him.

2. A copy of this letter has been forwarded to the Superintendent of Police, Lower Provinces.

### No. CCXXII.

TO THE MAGISTRATES AND JOINT MAGISTRATES, OFFICERS IN CHARGE OF SUBDIVISIONS, AND ASSISTANT SUPERINTENDENTS, THUGGEE DEPT., LOWER PROVINCES.

No. 5, of 1852.

No. 5.—Dated Garden Reach, 1st July, 1852.

Rules regarding the appearance of the Govt. Advocate or his Deputies in Court, and his relation to the Supdt. of Police and to the Magts.

I HAVE the honor to forward you copy of a Resolution of the Presidency Court of Nizamut Adawlut, dated the 31st May, 1852, promulgating the rules relative to the appearance of the Remembrancer of Legal Affairs in the capacity of Government Advocate, or his Deputies, in the Court, and his relation to the Superintendent of Police and to the Magistrates.

2. The Government Pleaders at the different Sessions Courts will be instructed by the Government Advocate invariably to apprise the Magistrate of the district, or the officer exercising Magisterial powers at an out-station, when any case, which has been committed to the Sessions from their several jurisdictions, has been referred by the Judges to the Sudder Court.

Or having been decided by the Sessions Judge, may have been appealed to the Sudder Court either by the prisoners themselves in Jail, or by any party acting on their behalf in the Sessions Court.

3. It will also be an instruction to the Government Pleaders at the Nizamut Adawlut in all cases to inform me, the Magistrate of the district, or other officer exercising Magisterial powers within whose jurisdiction the appealed cases may have arisen, of all appeals filed in the Sudder Court on notice of the appeal being given to them by the Register of the Court.

4. Immediately on the receipt of either of the above communications the Magistrate or other officer exercising Magisterial powers will address the Government Advocate *direct*, stating the circumstances of the case so referred or appealed, with his opinion as to the importance or otherwise of there being an appearance made before the Nizamut Adawlut on behalf of the Government; and by the same dâk the Magistrate or other officer exercising Magisterial powers will forward a copy of his letter to the Government Advocate to this office.

No. 5, of 1852.

5. All Magistrates or other officers exercising Magisterial powers will pay the greatest attention to the calls of the Government Advocate for information or papers connected with any cases referred or under appeal, and they will be held strictly responsible for any delay in replying to such requisitions, or any neglect of the rules now forwarded for their guidance.

RESOLUTION, OF THE PRESIDENCY COURT OF NIZAMUT ADAWLUT UNDER DATE THE  
31ST MAY, 1852.

Present.

Sir R. Barlow, Bt.  
W. B. Jackson, and } Judges.  
J. R. Colvin, Esqs. }

, and

A. J. M. Mills, and } Officiating Judges.  
R. H. Mytton, Esqs. }

The Court promulgate the following Rules, approved of by the Government, as signified by Mr. Officiating Under-Secretary Young's letter No. 1092, of the 20th instant, relative to the appearance of the Remembrancer of Legal Affairs in the capacity of Government Advocate or his Deputies in the Court, and his relation to the Superintendent of Police and to the Magistrates.

#### RULES.

1. In appealed or referred cases, the Government Advocate shall be competent to appear, and he shall ordinarily appear by himself, or at his discretion, either by the Senior or Junior Government Pleader, on behalf of the Government, in all cases in which the Government has been the prosecutor, and in which a pleader is employed for the prisoner. And it shall be further competent to him to make appearance, in like manner, in any appeal or referred case instituted on the prosecution of Government, in which, although no pleader may have been engaged for a prisoner, it may seem to him, acting in communication with the Superintendent of Police, or directly with the Magistrates when there may not be time for a reference to the Superintendent of Police, important that there should be an appearance by a pleader on behalf of the Government.

Rules regarding  
the appearance in  
the Govt. Advocate  
or his Deputies of  
Court.



No. 5, of 1852.

Rules.

2. Pleaders appearing for a prisoner in *appealed cases* shall be bound to give in to the Register's office, at a time not less than one week before the date fixed by the Court for the public hearing of the appeal, a note, under distinct heads, of the pleas of fact and of law on which he rests his appeal, and the Register shall cause such note to be transferred to the Senior Government Pleader. But it shall be competent to such pleader for the prisoner, on leave of the Court, to put in at the hearing of the appeal, any further pleas of law which he may desire to argue. The Register shall also intimate to the Senior Government Pleader, when a pleader may be appointed on behalf of a prisoner in a *referred case*.

3. The Government Advocate shall, through the Senior Government Pleader, give immediate notice to the office of the Register, when he may intend to appear in a case in which no pleader has been engaged for a prisoner, and the Register shall thereupon intimate the same to the Judge to whom the case has been submitted, and the Judge shall fix such date as he may think suitable for the public hearing and decision of the case.

4. It shall also be competent to the Court to call for the appearance of the Government Advocate, either by himself or by the Government Pleaders, as he may determine, in any case in which, from its special character, they may consider that such an appearance would be manifestly conducive to the better administration of justice.

5. In cases, whether referred or appealed, in which there may be an appearance for the Government as above provided, without the previous employment of a pleader on behalf of the prisoners charged or convicted, the Court shall be competent to nominate a pleader to appear on behalf of the prisoner, and to assign to him such remuneration as it may deem suitable, not exceeding 200 rupees in any case; such amount to be paid on a contingent bill, under the countersignature of the Register of the Court.

6. The Superintendent of Police shall give such directions to the Magistrates as he may deem necessary, in order to their apprizing the Government Advocate of the cases, whether referred or appealed, in which it may be thought by them of importance, that there should be an appearance before the Nizamut Adawlut on behalf of the Government, and he will also, in the discretion which belongs to his office, communicate directly with the Government Advocate regarding such cases as he may see fit.

7. The Government Advocate shall, after any communication with the Magistrate which he may find necessary, correspond with the Superintendent of Police on the subject of any case in which, whether a pleader shall, or shall not have been engaged on the part of a prisoner, it may appear to him unadvisable that he should make appearance in Court, whether by himself or his deputies, on behalf of Government. If after such correspondence with the Superintendent of Police, an appearance shall still appear inexpedient to the Government Advocate, he may in his discretion, refrain from appearing, and the case shall then be left to be disposed of by the Court upon consideration of the record, after hearing the pleader of the prisoner, in any case in which such pleader may have been employed.



8. The Government Advocate shall have the power of calling for explanatory information from the Magistrates in regard to any case in which, under the preceding Rules, it may become his duty to appear, or to consider the propriety of appearing in Court. And he may also, where necessary, solicit information on any point of importance connected with the course and circumstances of a trial, from the Sessions Judges.

ORDERED. That a copy of this Resolution be laid before each Judge and the Register, and that an Urdu translation of it be made for the Native Deputy Register and the several Peshkars, and that a copy of the Resolution and of the translation be hung up in the Court House for public information, and that copies also be sent for publication in the Bengalee, Qoreeah, and Oordoo Gazettes.

No. 5, of 1852.

Rules.

*See Circular Order, Nizamut Adgawlut, No. 85, dated 31st May, 1852.*

## No. CCXXIII.

### TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE LOWER PROVINCES.

No. 6.—Dated Garden Reach, 24th July, 1852.

No. 6, of 1852.

UNDER instructions from the Government, arising from inaccuracies occurring in the annual criminal returns from some of the districts in these Provinces, I have the honor to enjoin great care on your part in the future preparation of these documents. The mistakes alluded to, have been such as these :

Rules to be observed in preparation of the annual criminal returns.

See No. CLXVIII.

Homicide, riot with homicide, burglary with murder, cattle-stealing with murder, murder of children for the sake of ornaments, (belonging to head 20) affray with homicide, entered under the head of Murder, instead of under the heads to which they specifically belong.

Murder, and thief-killing (after capture of the thief), entered as Homicide. Crimes entered short of the number which actually occur within the year.

Entry of such crimes only, assault, &c., as are carried through the courts, in place of all complaints preferred.

Want of a uniform principle in drawing up the "Memorandum of Theft and Burglary"\* at the back of statement, No. 1. A. In some instances attempts are excluded from it, in others they are taken into account, whilst again some of the constituent headings of these two are entirely over-

\* See page 161.

No. 6, of 1852.

looked, and all this producing of course great numerical discrepancies which might be avoided by making the former of these heads, "Theft," consist of the aggregate of headings 19 to 26 inclusive, including attempts, and the latter, "Burglary," of headings 16 to 18 inclusive, also including attempts.

\* Col. 17 of statement No. 1, A

P. S. Parties in attendance on bail and recognizance, and forfeiting them, have been sometimes included in the column\* of "Escapes." This should not be done, but such cases should be entered under a separate head, "Forfeiture of bail and recognizance."

## No. CCXXIV.

### TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE LOWER PROVINCES.

No. 7, of 1852.

No. 7.—Dated Kishenaghur, 18th December, 1852.

Regarding the Magistrate having it in his discretion to insist upon the personal attendance of a party under Act V. of 1848.

I HAVE the honor to forward for your information and guidance, copy of a decision, No. 1507, of the 3rd November last, come to by a full Court of the Nizamut Adawlut, regarding the Magistrate having it in his discretion to insist upon the personal attendance of a party under Act V. of 1848.

*From B. J. COLVIN, Esq. Register of the Sudder Court, to the Sessions Judge of Dacca, No. 1507, dated 3rd November, 1852.*

The Court having had before them your letter, No. 623, of the 20th ultimo, direct me to communicate the following instructions.

Nizt. Adawt.  
Present.  
Sir R. Barlow, Bart. }  
W. B. Jackson, and } Judges.  
J. R. Colvin, Esqs. }  
and  
A. J. M. Mills, and } Offg. Judges.  
R. H. Mytton, Esqs. }

2. As the object of a Magistrate in requiring personal attendance of a party under Act V. of 1848, is to judge of the propriety of taking a personal recognizance from him, the Court consider it always to be in the discretion of a Magistrate to insist upon personal attendance when he sees fit.

3. In the case put by you, the period of appeal counted from the date of the order of 1st September requiring personal attendance, as the subsequent petition was merely an application to reconsider that first clear order. The appeal therefore being virtually against the order of 1st September, was out of time.

*See Circular Order, Superintendent of Police, Lower Provinces, No. 4 of the 2nd April, 1853.*



## No. CCXXVI.

TO THE MAGISTRATES AND JOINT MAGISTRATES IN BENGAL.

No. 1, of 1853.

No. 1.—Dated on the Pudder river, 13th January, 1853.

Report required as to the number of educated Natives employed in the Police, they should be examined in the Darogah's Manual.

WITH reference to my Circulars Nos. 6 and 8 of 1850, I have the honor to request that you will report what number of educated Natives have applied for, and been nominated to situations in the Police since the issue of those orders.

2. I believe that several Magistrates object to the employment of such young men on account of their inexperience and want of knowledge of the duties, but if an examination was required from Marshman's Darogah's Manual, and the Magistrate was subsequently to take pains to point out to them errors and omissions, and how they ought to act, such an objection would soon cease to exist.

3. In several instances educated Natives have not only shewn a superior degree of moral principle, but also exhibited great proficiency in their duties.

## No. CCXXVII.

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE LOWER PROVINCES.

No. 2, of 1853.

No. 2.—Dated Rungpore, 18th February, 1853.

Disbursements from ferry funds on public works without sanction of Govt. limited to 1000 Rs.

See No. CXCIV.

IT appearing that several ferry Committees entertain an erroneous opinion as to the intent of rule 12 of the rules for the appropriation of the surplus ferry funds, I am directed to acquaint you that the rule in question does not contemplate the disbursement, without reference to the Government, of sums in excess of 1000 rupees in the aggregate in works on any one line of road, although each work, when taken separately, may be under that sum.

2. In such cases estimates including the whole of the works proposed or in progress, must be submitted for the approval of the Government.

No. 3, of 1853.

CIRCULAR Order No. 3, of the 15th March, 1853, required that all letters, &c. intended for the Superintendent of Police, Lower Provinces, should thereafter be addressed to him at Garden Reach, Calcutta.



## No. CCXXVIII.

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.

No. 4.—Dated Jessore, 2nd April, 1853.

No. 4, of 1853.

WITH reference to my Circular No. 7 of the 18th December last, with its enclosure from the Court of Nizamut Adawlut, I have the honor to forward for your information copy of a correspondence which has taken place between the Officiating Under-Secretary to the Government of Bengal, and that Court, regarding the discretion vested in a Magistrate to insist on the personal attendance of a party from whom it may be deemed proper to require security under Act V. of 1848.

Regarding the discretion vested in a Magistrate to insist on the personal attendance of a party from whom it may be deemed proper to require security under Act V. of 1848.

See C. O. No. CCXXIV.

From W. GORDON YOUNG, Esq. Officiating Under-Secretary to the Government of Bengal, to B. J. COLVIN, Esq. Register of the Sudder Court, No. 298, dated 16th February, 1853.

The Superintendent of Police, Lower Provinces, has reported to this Government, that he has circulated for the guidance of Magistrates generally, a copy of your letter\*

\* No. 1507, dated November 3rd, to the address of the Sessions Judge of Dacca. noted in the margin, containing the opinion of the Court at large, as to the discretion vested in a Magistrate to insist upon the personal attendance of a party from whom it may be deemed proper to require security under Act V. of 1848.

2. As it appears to His Lordship probable, that misconception or difference of opinion may arise as to the proper meaning to be attached to the expression "insist upon personal attendance," I am directed to request that the Court will favor His Lordship with their opinion as to whether a Magistrate is empowered by law to issue a warrant for the arrest of a party, who may refuse or neglect to attend in person, when required to do so for the purpose of furnishing security under the Act in question.

Judicial.

From B. J. COLVIN, Esq. Register of the Nizamut Adawlut, to C. BEADON, Esq. Secretary to the Government of Bengal, No. 218, dated 26th February, 1853.

In acknowledgment of the Officiating Under-Secretary's letter No. 298 of the 16th instant, I am directed by the Court to report for the information of the Most Noble the Governor of Bengal, that in their opinion a Magistrate is empowered by Act X. of 1845, to issue a warrant for the arrest of a party who may refuse or neglect to attend in person on a summon, upon proof that due diligence has been used to serve such summons upon him, to give security under Act. V. of 1848.

Nizamut Adawlut.  
Present.

Sir R. Barlow, Bart.  
W. B. Jackson, and  
J. Dunbar, Esqs. } Judges.

and  
A. J. M. Mills, and  
R. H. Mytton, Esqs. } Offg. Judges.

## No. CCXXIX.

TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.

No. 5, of 1853.

No. 5.—Dated Garden Reach, 22nd April, 1853.

Calling for a  
return of Native  
Presses, and of the  
publications issued  
therefrom.

I HAVE the honor to forward you the accompanying copy of a letter, No. 95 of the 18th instant, from Mr. Officiating Under-Secretary Young, with its enclosures, and to request your early reply to this call.

*From W. GORDON YOUNG, Esq. Officiating Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 95, dated 18th April, 1853.*

G. O. No. 95 of  
18th April, 1853.  
General.

I am directed by the Most Noble the Governor of Bengal to request, that you will call upon the Magistrates subordinate to you, and submit for the information of Government, returns on the annexed forms (A and B) of the Native presses established in their respective districts, and of the publications issued therefrom during the year 1852.

2. You will also request the Magistrates to continue to furnish annual returns in the same forms.

3. The returns should include every printing press at which any periodical work, or any book or pamphlet in any vernacular or oriental language, has been printed or published during the year.

4. The Magistrates will probably have no difficulty in making up the returns as the printer and publisher of every periodical work, and the owner of every printing press is required by law to make declaration of the same before a Magistrate, and it is not likely that such persons will be otherwise than willing to furnish all information required for statistical purposes.

5. In those districts in which there are no presses from which periodical or other works in any dead or living oriental language issue, a remark to that effect will be sufficient.

## FORM A.

*Newspapers and other periodical publications.*

| Place. | Name of Press. | Name of each newspaper or other periodical. | Description of each newspaper or other periodical. | Name of Editor on the 31st December, 1852. | Circulation of each. | Price of each per copy. |
|--------|----------------|---------------------------------------------|----------------------------------------------------|--------------------------------------------|----------------------|-------------------------|
|        |                |                                             |                                                    |                                            |                      |                         |

FORM B.  
*Books and Pamphlets.*

No. 5, of 1853.

| Place. | Name of Press. | Name of each work. | Description of each work. | Number of copies of each work struck off. | Number of copies of each work sold. | Price of each work per copy. |
|--------|----------------|--------------------|---------------------------|-------------------------------------------|-------------------------------------|------------------------------|
|        |                |                    |                           |                                           |                                     |                              |

No. CCXXX.

TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 6.—Dated Garden Reach, 16th April, 1853.

No. 6, of 1853.

WITH the view of preventing as much as possible the maltreatment of prisoners and the extortion of confessions by the Police, I request that you will strictly adhere to the following instructions.

Instructions for preventing maltreatment of prisoners, and the extortion of confessions by the Police.

2d. On the arrival of any challan or despatch of prisoners you will carefully examine the written challan to see the date of the apprehension and the date of the despatch of each prisoner from the Thannah, and should any prisoner have been detained in custody longer than the period allowed by law, (forty-eight hours,) without reasonable explanation being given for such delay, you will call on the Police officer concerned to state why such delay has occurred, and you will be careful to notice and punish every instance where satisfactory reasons for this infringement of the provisions of Clause 16, Section 19, Regulation XX. of 1817 are not given. You will be particular too in seeing that none of the prisoner's relatives or connexions, especially females, have been taken into custody and subsequently discharged by the Police.

See C. O. No. XLVI.

3rd. You will also enquire into and punish Police officers severely in all cases in which it may appear that any ill-treatment or severity beyond what was necessary to secure their persons may have been used towards prisoners.

4th. On the arrival of a confessing prisoner at the place where the Magistrate is, he is to be immediately removed from the custody of the Police officers bringing him in, and placed in charge of the Nazir, or in some secure

No. 6, of 1853.

place of confinement not being the Hazut ward in the jail, and after a sufficient time allowed him to collect and refresh himself, the prisoner will be brought before the magistrate, and his confessions recorded under the precautions ordered by the Court of Nizamut Adawlut. The mofussil confession should not be placed in the hands of native officers recording the confession before the magistrate, but should be kept by the latter. The two statements should be compared and questions asked to explain any discrepancies in, or differences between the two, but no cross-examination tending to intimidate the prisoner or to compel disclosures from him to be allowed.

*Regulation XX. of 1817, Section XIX., Clauses 1 to 4. Duties of Police Officers in receiving confessions.*

Reg. XX. of 1817.

Examination of prisoners to be taken without oath, in the presence of three or more credible witnesses.

*First.*—Whenever any person may be apprehended and brought before a Darogah or other Police officer, under the provisions of this Regulation, the examination of the prisoner shall be taken without oath, in the presence of three or more credible witnesses, who are to attest the examination; and the Police officer, presiding at the enquiry, shall question the prisoner fully regarding the whole of the circumstances of the case, the persons concerned in the commission of the crime, and, if any property may have been stolen or plundered, the persons in possession of such property, or the place where it has been deposited; in the event of the prisoner making free and voluntary confession, it shall be immediately written down,\* if practicable, in the language best understood by the person confessing, and in the presence of three or more credible witnesses, who can sign their names, and are not officers of the Police or connected with the *Thannah* establishment: if no persons can be found who may be able to read or write, the most respectable persons in the village shall be required to bear witness, and to affix their mark in attestation of the writing. The party confessing, as well as the witnesses, shall be allowed to read the same when finished, or if unable to read, the Police officer recording the confession shall invariably read it over in the presence of the party and witnesses, before it is signed and attested, and shall state at the foot of the paper, the day of the week, date, hour, and place at which it may be taken; the original confession, bearing the signatures of the party and witnesses, shall invariably be transmitted to the Magistrate, and not a copy; and the Police officer presiding at the inquiry, as well as the person by whom the confession may be taken down in writing, shall subscribe their signatures to the paper, in attestation of its authenticity.

\* See C. O. No. CXXXIV.

Rules in cases of voluntary confessions.

Compulsions or holding out hopes or fears to induce confession, strictly prohibited; penalty on conviction.

*Second.*—No compulsion shall be used either towards parties or witnesses, for the purpose of obtaining any information whatsoever; and Police officers are strictly enjoined not, on any occasion or under any pretext whatever, to encourage a prisoner, apprehended upon a criminal charge, to confess the same, or to excite the hopes or fears of a prisoner by holding forth prospect of pardon, or using threats, or otherwise persuading or intimidating the prisoner, with the view of inducing him to confess: any species of maltreatment inflicted on a prisoner or witness by a Police officer, landholder, or farmer, or by any other person whatever, whether with a view to extort a confession, or to procure information, will subject the offender to exemplary punishment, on conviction, before the Magistrate or Court of Circuit.



*Third.*—Whenever a confession may be taken at night, or at any other place than the Police Thannah, the special reason for its having been so taken shall be stated in the Darogah's report.

*Fourth.*—The foregoing provisions are not meant to preclude the Police Darogah or officers presiding at the inquiry, from making any private verbal examination which he may deem requisite, with the view of ascertaining accomplices, or discovering stolen property, or obtaining means of proof.

*Fifth.*—Prisoners confessing offences shall be kept apart from all persons in custody at the Thannah, and, if practicable, shall be forwarded to the Magistrate's court, under charge of a separate guard.

*Sixth.*—Witnesses to confessions shall invariably be bound over by the Police Darogah to attend the Magistrate on the arrival and examination of the prisoners at the Sudder Station; and the Police officers shall be careful not to admit of any deviation from this rule.

|   |   |   |   |   |   |   |   |   |
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*Sixteenth.*—The Darogah and other officers of Police are hereby prohibited, under penalty of immediate dismission from office, from detaining any prisoners without sending them to the Magistrate, beyond such time as may be indispensably requisite for the inquiries directed by this or any other regulation; and if, from any cause, the inquiry cannot be completed within forty-eight hours after the arrival of a prisoner at a Cutcherree or Station of the Police officer, the person shall notwithstanding be sent to the Magistrate with a report of the case, and a challan or despatch drawn up according to the form No. 2 of the Appendix, a copy of which shall be given to the Burkundauze, under whose charge the prisoner may be forwarded, to be delivered to the Nazir on his arrival at the Sudder Station.

No. 6, of 1853.

Regn. XX. of 1817.

Special reason must be stated if the confession be received at night, or in any other place than the Police Thannah.

Darogah may hold private verbal examination.

Prisoners confessing to be kept separate.

Witnesses to be carefully bound over.

No prisoners shall be detained at the Thannah Cutcherree more than 48 hours.

No. 6, of 1853.

Regu. XX. of 1817.

## Form No. 2.

Challan or Despatch of Prisoners from the Thannah of ——— Zillah of ———.

| No. of the Challan. | Name and residence of the complainant or prosecutor. | Names of the prisoners and their place of residence; also the name of the Pergunnah, and of the landholder or farmer.                                                   | Abstract of the offence and the date of its occurrence; and also the date of the Urree, complaint, or information. | Date and time of apprehension of the accused. | Where apprehended, and by whom.                   | Date and time of the arrival of the accused at the Thannah. | Date and time of his despatch to the Sudder Station, and under charge of what Burkundauze.       | Names of the witnesses.                | Remarks. |
|---------------------|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------|----------------------------------------|----------|
| 1                   | Randial, inhabitant of Mouza Seral Akel.             | 1 Jeesook, inhabitant of Mouza Jaunsut, Pergunnah Dulnow, in the estate of Ram-sing Zemindar.<br>2 Matab, inhabitant of Mouza Paharee, Zemindar and Pergunnah as above. | Burglary and wounding on the 5th of April, 1816. Complaint made on the 6th of April.                               | On the morning of the 15th of April.          | By Native (Chowkeddar, in the village of Jaunsut. | On the evening of the 15th of April.                        | On the evening of the 16th of April, under the custody of Rsm Sing and Motee Sing, Burkundauzes. | Bood Sing Kaorah, Rutnah, Khoda-buksh. |          |

Under the circumstances stated in the annexed extract of a letter from the Officiating Magistrate of Benares to the Sessions Judge of that district, it was held by the Western Court, concurrently with the Calcutta Court, that a discretion must be considered to be vested in the Magistrate to authorize the detention at the Thannah of a party accused of a criminal offence, cognizable by the Police, beyond the period specified in the 16th Clause of Section 19, Regulation XX. 1817, when the measure may appear to that officer absolutely necessary for the ends of justice, but that it should be exercised with great caution, and only on very strong grounds.

No. 6, of 1853.

Constn. No. 1167.

Magistrate may order a Darogah to detain a party more than 48 hours.

*Extract of a letter from the Acting Magistrate of Benares, to the Sessions Judge of that city, dated 2nd August, 1838.*

Para. 2. An application was made to me by the Magistrates of Arrah and Ghazee pore for the recovery of certain stolen property said to be in the house of the defendant Naraindoss, and on a search of his premises many articles were discovered. I therefore thought it absolutely necessary (till further enquiries should be made how far he was implicated) to keep the defendant under some restraint, both to prevent the possibility of his removing the remainder of the undiscovered property, and also to prevent his escape should he be so disposed.

3. As the case was not connected with this Zillah, his removal to the Sudder Station appeared to me an unnecessary piece of harshness, and I therefore directed that he should be kept under restraint at the Thannah (though not in confinement) with the view of communicating further with the Magistrate of Arrah on the subject of the identification of the property; and that no delay has occurred in doing so is apparent from that gentleman's reply accompanying the Misl which was laid before you. The defendant has now, however, according to the instructions conveyed in your proceeding of the 31st ultimo, been removed to the Hajut Tujveez.

4. It appears to me that the detention of the prisoner in this case was unavoidable, and that the Clause and Section of the Regulation quoted by you is meant to prohibit Thannadars from confining individuals beyond forty-eight hours, but does not interdict a Magistrate from using his discretion in detaining a prisoner at a Thannah or elsewhere.

*Construction No. 1167, of the 17th August, 1838.*

*Regulation IX. of 1793, Section VI., and Regulation VI. of 1803, Section VI.*

The Magistrates, upon receiving any charge, shall be careful to ascertain from the complainant, and to record upon their proceedings, on what day of the month, in what year, and at what time of the day or night, the act complained of was committed. When a prisoner shall confess before them, the crime or misdemeanor with which he may have been accused, or shall confirm any former confession that he may have made of his having committed such crime or misdemeanor, the Magistrates shall be careful to have such confession or confirmation of a former confession witnessed by as many of their officers, or other creditable persons, who shall be present at the time it shall be made, as the Mahomedan law requires to give it validity, and to cause such witnesses to be in attendance at the next Sessions of the Court of Circuit. But the Magistrates are strictly enjoined to satisfy themselves, that all confessions made by prisoners are free and voluntary; and notwithstanding such confessions, they

Regn. IX. of 1793, and VI. of 1803.

Points to be attended to by the Magistrates in their enquiries into charge preferred to them. Prisoners confessions or confirmations of former confessions to be properly attested. Witnesses to such confessions and to the crime, to be required to attend at the Sessions. Confessions to be free and voluntary, and prisoners not to be ill-

No. 6, of 1853.

treated on any pretext.

shall invariably summon and bind over to attend at the next Sessions, the witnesses to the commission of the crime or misdemeanor alleged against the prisoner, that they may be examined before the Court of Circuit, in the same manner as if the prisoner had denied the charge. The Magistrates are further required to take special care, that persons upon being apprehended, are not made to suffer corporal punishment, or otherwise ill-treated, under the pretence of compelling them to answer truly to questions which may be put to them, or under any other pretext whatever.—(*Regulation of 1803.*)

C. O. N. A. No. 23 of 1800.

Attestation of confessions.

Confessions made before Magistrates, should be attested by three or four respectable witnesses who can read and write.—*Circular Order, Nizamut Adawlut, No. 23, of 4th July, 1800.*

C. O. N. A. No. 90 of 1811.

By Magistrates.

Magistrates should specify in English on the confessions that they were made before them; the dates when made, and the names of the persons confessing; the confessions are then to be attested by the Magistrate or other person before whom they are made, with his signature at length and the specification of his office.—*Circular Order, Nizamut Adawlut, No. 90, of 20th June, 1811.*

Constn. No. 101.

By Vakceels and others.

Penalty for refusal.

Vakeels may be required to attest confessions, and are liable to dismissal for refusing to do so. Darogahs may require respectable persons to attest confessions, if they refuse, the Magistrate can call on them for their defence and subject them to discretionary punishment.—*Construction 101, dated 23rd April, 1812.*

C. O. Nizt. Adwt. No. 73, of 1810.

Precautions to be observed by Magts. and Courts of Circuit in taking the confessions of prisoners, and examining the attesting witnesses.

Some trials have been recently before the Nizamut Adawlut in which there were strong grounds for believing that confessions have been procured from the prisoners at the Thannahs by very improper means, and that such confessions have been subsequently repeated and confirmed before the Magistrates, under the influence of those previous impressions.

2. The attention of the Court has in consequence been seriously engaged in considering whether any measures can be adopted, calculated to repress practices so atrocious in themselves, and so incompatible with a pure administration of justice. It having occurred to the Court that the following precautions will conduce to that important end, they have directed me to communicate them to you for your information; and to desire that you will extend the communication to the several Magistrates within your division, for their information and guidance.

3. Experience having shown, that accused persons sent into the common jail, without examination, are put on their guard by other prisoners, and, in consequence, generally decline to make any confession or discovery when examined, several Magistrates, to avoid this inconvenience, appear to have adopted the practice of examining all persons sent in by the Police officers, as soon as possible, after their arrival at the station.

4. This practice, the Court observe is well adapted to accomplish the object which it proposes, but is also attended with danger, that the persons examined, when under strong impressions of any improper treatment which they may have experienced in the Mofussil may



be induced before they have had time to recollect themselves, to confirm fabricated and extorted confessions.

No. 6, of 1853.

5. The Court remark, that it will obviously require great circumspection on the part of the Magistrate, to guard against this danger. That the following are the precautions which naturally suggest themselves. The Magistrate (or his Assistant, if the latter be employed on such occasions) to be mild and patient in his examination of the prisoners; to exert himself to ascertain whether they have been subjected to improper treatment in the Mofussil; to make prisoners sensible that they are secure against such practices while under the Magistrate's charge; to be particularly attentive that alleged Mofussil confessions of prisoners, be not recorded as confessions made before himself, from being read to prisoners and receiving their assent; but to satisfy himself, by making prisoners tell their own story, that their statements are deliberate and spontaneous; lastly, to be watchful, that prisoners are not subject in the jail, or other places of confinement, to any continuance of the improper means, to which they are liable at the Thannahs.

C. O. N. A. No. 73  
of 1810.

6. In one of the cases which have drawn the attention of the Court to this subject, a prisoner accounted for his having confirmed before the Magistrate a false confession, which the Police officers had extorted from him, by stating that when examined in the Foujdarry Court, he was surrounded\* by several of the persons who were concerned in the violence which he had suffered. The Court remark that this circumstance will show the Magistrates the necessity of being cautious that the Police officers, under whose charge the prisoners are sent in, be not permitted to exercise any interference, when they are examined.

\* See Para 2.  
C. O. No. CLXXXVI.

7. The Court are further of opinion, that the ill-treatment of prisoners might be greatly checked, by attention on the part of the Magistrates to enforce the rule contained in Section 17,† Regulation IX. of 1807, which enjoins that the Police Darogahs shall, in all cases, despatch to the Magistrates, all persons apprehended by them, within forty-eight hours after their arrival at the Thannah Cutcherry. The Court have had frequent occasion lately, to notice the infringement of this rule, and judge it therefore necessary to impress upon the Magistrates the necessity of enforcing its strict observance.

† Rescinded by Sec.  
1. Cl. 1, Reg. XX.  
of 1817.

8. The Court have also observed, that confessions have been frequently procured from prisoners in the Mofussil, at unseasonable hours of the night, and in secret, and sometimes in solitary places, where only the Police officers, or persons under their influence have been allowed to be present; that altogether to prohibit secret examinations, would lead to serious inconvenience, but that at the same time, the most vigilant attention of the Magistrates is obviously required to prevent the Police officers grossly abusing this power; that such mode of proceeding can rarely be necessary, and that it ought of consequence to be the constant care of the Magistrate to see that it is not adopted without adequate cause.

9. But with all these precautions, the Court remark, that the principal security against the practice of procuring false confessions, will consist in the careful investigation by the Magistrates and Courts of Circuit, of the cases coming under their cognizance; that the too easy admission of confessions, will always operate as a temptation to impose false confessions on the Courts; while, if they are received with circumspection and all the additional evidence which the case may admit of, uniformly required and carefully taken, the fear of detection must prove a powerful discouragement to the practice.

10. The Court likewise desire to call the attention of your Court, to the necessity of carefully examining the witnesses to Foujdarry confessions, so as to ascertain that they have

No. 6, of 1853.

C. O. N. A. No.  
73 of 1810.

been made under the Magistrate's immediate inspection, or that of his Assistant, and under circumstances which excluded any improper interference or influence. The case which the Court have referred to above, sufficiently establishes the expediency of these cautions.

11. The Court also rely on your Court, to enforce the observance of the preceding instructions to the Magistrates, and to correct any irregularities which you may notice in their proceedings, and the proceedings of their Police officers, which may have escaped their animadversion.

12. It is only, the Court observe, by the constant exercise of this control that the regularity of proceeding can be secured, which is essential, not only to the prompt despatch of business, but to the highest interests, both of individuals and of the country.—*Circular Order, Nizamut Adawlut, No. 73, dated 23rd August, 1810.*

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*Extract of a letter from the Secretary to Government in the Judicial Department, dated 21st December, 1810.*

G. O. 21st Dec. 1810.

Orders of Govt. respecting the exertions necessary to prevent confessions being extorted from persons accused.

Para. 3. The Governor General in Council has learned with deep concern, the offence committed by some of the Darogahs of Police in that Zillah, of extorting by threats and intimidation unfounded confessions from persons apprehended. His Lordship in Council would hope, with the Nizamut Adawlut, that this criminal practice may not be so prevalent as appears to be supposed by the Acting Judge; but the facts stated by Mr. Watson are sufficient to show, that every possible exertion should be made for the prevention of this serious evil in future. The Governor General in Council approves generally the order passed by the Nizamut Adawlut on this point.

G. O. Nizt. Adwt.  
No. 89 of 1811.

Confessions in the Mofussil, how to be taken.

\* No. 73.

† Rescinded by Cl.  
1, Sec. 1, Reg. XX.  
of 1817.

I am directed by the Court of Nizamut Adawlut, to communicate to you the following instructions, in continuation of those contained in my letter of the 23rd August last,\* on the subject of confessions taken in the Mofussil; and to desire that you will circulate the same to the several Magistrates within your division, for their information and guidance.

1. The confession should be witnessed by three or more creditable persons, (as required by Section 17,† Regulation IX. of 1807) who can sign their names, and are not officers of Police, or connected with the Thannah establishment.

2. All confessions committed to writing should be taken down in the presence of the subscribing witnesses, and immediately signed, and attested. This instruction, the Court remark, will not preclude the Police Darogah from making any private verbal examination, which he may deem requisite, with the view of ascertaining accomplices, or finding stolen property or means of proof.

3. The original confession, viz., that bearing the original signatures of the party and witnesses, to be invariably transmitted to the Magistrate, and not a copy.

4. When the confession may be taken at night, or at any other place than the Police Thannah, the special reason for its having been so taken, should be stated in the Darogah's report, with information of the date and hour at which the prisoner was apprehended, and brought to the Thannah.

5. The Magistrate, in examining the witnesses to a written confession, should be careful to ascertain, that they, as well as the party confessing, were fully informed of the contents of it. To secure this object, the Police officers should also be enjoined in all instances, after

taking down a confession, to cause it to be read over to them in the presence of the party and the witnesses, before it is signed and attested.—*Circular Order, Nizamut Adawlut, No. 89, dated 13th June, 1811.*

No. 6, of 1853.

Magistrates ought not to commit for trial before the Court of Circuit, or hold to security any person on the sole ground of the accusation of confessing prisoners, that such persons were their accomplices, or concerned in the offence charged. It is not intended however, to restrict Magistrates from making any further enquiry, or holding any further proceedings they may consider to be necessary, regarding persons in the above predicament, or from acting accordingly to the result.—*Circular Order, Nizamut Adawlut, No. 156, dated 20th November, 1815.*

C. O. Nizt. Adwt.  
No. 156 of 1815.

Magistrates not to commit for trial persons accused solely in confessions of prisoners.

20. The Court having also had many late occasions to observe, that their Circular Orders specially requiring that the examinations of all prisoners be made in the presence of the Magistrate, are not sufficiently attended to, I am directed to desire that you will call on the Magistrates in your division to conform themselves strictly to those orders, and in no case to certify, or otherwise to authenticate any paper, purporting to be a confession, which may not have been made on a personal examination by the Magistrate himself. And more effectually to provide against the objectionable course which has frequently obtained of late of allowing the examination of prisoners to be taken in the *serishta*, in the Magistrate's absence, you are desired to instruct the Magistrates, in all cases of confessions before them, to certify the same in the following words;

C. O. Nizt. Adwt.  
No. 54 of 1830.

Examination of prisoners to be made in the presence of the Magistrate who is to certify to that effect.

"I hereby certify, that this confession of ————— was made by the said —————, and taken down in writing, and attested by the subscribing witnesses, before me, and in my presence, on the ————— between the hours of —————; that, to the best of my belief, the confession was voluntary, and that no interference, directly or indirectly on the part of any person likely to influence or intimidate the prisoner, was permitted."

Certificate of Magistrate.

21. The Court further desire that the Magistrates be instructed to direct their Police officers to certify confessions made before them in the same manner.

22. On all trials held by you, you are desired in examining subscribing witnesses to confessions, to be particular in ascertaining from them that there has been no deviation from these Rules, and in case of omission by a Police officer, that you take suitable notice thereof, and that you report any transgressions in this respect on the part of a Magistrate, to the Nizamut Adawlut.—*Circular Order, Nizamut Adawlut, No. 54, dated 16th July, 1830.*

## No. CCXXXI.

### TO THE FERRY FUND COMMITTEES, LOWER PROVINCES.

No. 7.—Dated Garden Reach, 13th June, 1853.

No. 7, of 1853.

I AM instructed by the Most Noble the Governor of Bengal strictly to prohibit all Ferry Fund Committees, against forestalling their assets without the sanction of the Government, and also to direct you to certify at the foot of every bill submitted for audit, the amount of assets available at the date on which the bill is drawn.

Ferry Fund Committees not to forestall their assets and to state at the foot of every bill submitted for audit the amount of assets available.

See No. CXCV.



**No. CCXXXII.**

TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 8, of 1853.

No. 8.—Dated Garden Reach, 21st June, 1853.

Information required regarding the practice of swinging at the Churruck Poojahs.

UNDER instructions from the Most Noble the Governor of Bengal, I have the honor to direct that you report to this office specially all cases in which the practice of swinging at the Churruck Poojah is attended with cruelty or enforced without the free consent of the parties submitting to it. I also request to be favored with your opinion whether the law as it stands is sufficient for preventing such cruelty or violent enforcement of the rite.

**No. CCXXXIII.**

TO THE MAGISTRATES AND JOINT MAGISTRATES, LOWER PROVINCES.

No. 9, of 1853.

No. 9.—Dated Garden Reach, 25th August, 1853.

Circulating copies of the judgment of the Chief Justice of H. M.'s Supreme Court in a case of ejectment.

I HAVE been directed by the Most Noble the Governor of Bengal to annex for your information and guidance a judgment delivered by the Chief Justice of her Majesty's Supreme Court on the 8th of July last, on the case of Andrew, *versus* Lyon.

*Supreme Court, July 8th, 1853.*

DOE DEM. ANDREW, *vs.* LYON AND ANOTHER.

This was the case in which the Sheriff returned that he could not obtain possession. Sir L. Peel, this day delivered the following judgment.

Mr. Ritchie has informed the Court that he abandons his Rule against the Sheriff in this case. We are glad that he has done so, for the Court said, and still think, that it would be improper to attach the Sheriff, who has done all that he had it in his power to do to execute the writ which he was bound by law to execute. I was requested by Mr. Ritchie to put into writing for the future direction of those who had to enforce the execution of similar writs the substance of that which fell from the Court, when he moved his Rule, and of which he had but an imperfect note. I do this the more readily because I think that it may be useful to future Sheriffs also, and may clear up some doubts which seem to have prevailed about this case. I stated then that Mr. Beadon had communicated to me the course which was pursued and the motives which induced the Government to decline to lend its aid to the execution of the writ in the mode in which the Sheriff supposed it to be his duty to execute it.



I did not think it then necessary to state more than this, that the Government had, if it had erred, erred merely on a point of law, on which conflicting opinions of its own officers had left it in doubt how to act, and that there was not the slightest ground for imputing an unfriendly spirit. I now think necessary to add, as I see, notwithstanding what I said, that it is supposed that a collision is impending between the Government and this Court, that there is not the slightest foundation for any such fears; that Mr. Beadon's communication was made in the most friendly, candid and courteous spirit, and I hope I may say that it was received in a corresponding spirit.

The jurisdiction of this Court is declared as to persons. No Native occupying lands in the Mofussil is subject to the jurisdiction of this Court by reason of such occupancy. Unless he be an inhabitant of Calcutta, or unless a special character, which may attach to him by an act or contract of his own enuring to that effect, establishing his liability to jurisdiction, he is free from it, consequently this Court has no jurisdiction, in the former case, to try that Native's title to the occupation of lands, or to dispossess him of them. But if a person who is subject to the jurisdiction of this Court occupy lands in the Mofussil, or is landlord to those that do, then his title in the one case to occupancy, in the other to the landlord's or Zemindarry title, may be tried in this Court between the claimant of them and himself. Any one may be the plaintiff, though the jurisdiction is limited as to defendants. Consequently if a British subject, or other person subject to the jurisdiction of this Court were a ryot, or occupier of lands in the Mofussil, and one claimed those lands from him, and sued him by ejectment in this Court, he could shew, if such were the case, that the lessor of the plaintiff (i. e. the claimant) had no real title even to the Zemindarry, and also that if he had, he, the defendant had a right or estate, which entitled him to hold the possession as occupier, and therefore that the claimant was not entitled to the actual possession. It is the actual possession which is sought in ejectment, though of course delivery of that possession will vary with the nature of the thing sought,—in some cases it can be little more than nominal, as for instance if a public road were recovered in ejectment, or as if tithes in England were so recovered, for which, though an incorporeal right, ejectment lies by a provision of the legislature in early times. It often happens in England that the tenants are never meant to be disturbed, the possession is then given by attorney to the claimant, and often ejectments are brought with this express object, but in England the actual tenants or occupiers are subject to the jurisdiction of the Court: here they often are not, consequently in those cases the practice in ejectment, which is a flexible form of action, a mere fiction in form for the more convenient trial of the right, is made conformable to the different state of circumstances, the tenant is served notice, that he may, if he thinks fit, defend the title against a new landlord, for he may not like the new as well as the old landlord, therefore for this reason only notice is given to him, not with any view to compulsory dispossession of him. Ordinarily he takes no part in the matter, but the landlord defends, or else the suit is not defended: if it is not defended our rule requires a full affidavit of the liability of the occupier and the jurisdiction of this Court: if that affidavit were falsely made and that appeared, the execution of the writ would be at

No. 9, of 1853.

once suspended, and so far from resenting, we should be thankful to any one, whether in an official position or not, who pointed out to us the intended abuse of the Queen's Court. The possession of the tenant is for many purposes considered in law as that of the landlord, and where the actual landlord does not defend, but is a British subject, or is otherwise subject to the jurisdiction of the Court, then the rule of Court is practically complied with by shewing his connexion with the property, and his liability to the Court's jurisdiction. But in neither case, either of a defended ejectment, or where one is undefended and judgment goes by default, are the ryots to be dispossessed, or interfered with. But if one who is, or calls himself a ryot, comes in and takes defence, then he may impeach the lessor of the plaintiff's or claimant's title, either as respects the Zemindarry or as respects his own occupation. He cannot be turned out of possession by this Court, either directly or indirectly on any grounds except those on which he might be dispossessed in a suit instituted against him in a Mofussil Court. The law is the same, for the law on which his rights are founded would be just as much respected here as in any other Court. Consequently if the defendants in this ejectment stood on the rights of a ryot as to any parts of those lands, they had only to assert and prove them, and if they were such as enabled them to hold against the claimant, the claimant's title would have failed *pro tanto*. But they did not so, they took defence for the whole as landlords, and they failed as to that: they set up no right as tenants to a parcel of the lands, and did not even take defence in that character for any portion. If they had such title, it was their folly not to advance it, and if by error they had failed to insist upon it, and had applied to the Court at any time before execution issued, the Court had both the power and the wish to protect them from injury. The Court has not the duty cast on it of executing its own writs. In any difficulty, if applied to, it would assist the Sheriff with its advice. The Sheriff cannot in the Mofussil raise the body of the people as it were to help him. The duty is enjoined by the Charter to the persons there described, and if that duty were wilfully and canselessly withheld, that might be punished in due course of law; but if those to whom the Sheriff applies for aid *bond fide* believe that they would really be in error and trespassers in helping him, that would excuse them; the mere command of the Government would be no legal excuse, unless that were conveyed in writing by the Governor General in Council in the mode directed by the statute. In that case they would be obeying the law in giving their aid to the Sheriff, in the other they would violate it. Thus if the law be observed it is impossible that the executive and judicial authorities in the land can actually be drawn into collision.

We have no reason to suppose that the decision of this Court on a legal point would be disregarded. Their errors of judgment can be set right on appeal.

The duty of one who is called on to aid a Sheriff is also a plain one. If he thinks the Sheriff is doing wrong, he should not, while that impression is on his mind, aid him, he should state his doubts and ask for information, if that be given, and he still doubts, he can readily get the advice of the Law Officers of the Government, or ask the Sheriff to apply to the Court for directions; if his doubts are dissipated, then it is his duty to act. If in that case the Government order him to desist, then

he should respectfully ask the protection which the statute gives him of a legal order in the prescribed mode. Unless that course be taken, the Court of course could listen to no suggestion that a man is ordered by a higher power not to act according to law, for, it is to be observed, it must hold that to be the law which it has declared by a legal judgment to be so.

No. 9, of 1853.

We have little doubt that now the rights of the parties have been explained, the Sheriff will receive assistance if necessary to put the plaintiff in possession of those premises which were actually in the possession of the defendant, or his agents or servants.

## No. CCXXXIV.

TO THE, MAGISTRATES, JOINT MAGISTRATES, OFFICERS IN CHARGE OF SUB-DIVISIONS, ASSISTANTS GENERAL SUPERINTENDENT, THUGGEE DEPARTMENT, LOWER PROVINCES, AND COMMISSIONER FOR THE SUPPRESSION OF DACOITY, HOOGHLY.

No. 10.—Dated Garden Reach, 12th October, 1853.

No. 10, of 1853.

I HAVE the honor to acquaint you by direction of the Most Noble the Governor of Bengal, that medical certificates which accompany applications for leave of absence by officers subordinate to this office, must be invariably countersigned by the Medical\* Board, as prescribed by Section 5 of the Civil Absentee Rules.

Medical certificates accompanying applications for leave to be countersigned by the Medical Board.

\* Or in certain cases by the Supg. Surgeon.

*Circular Order, Board of Revenue, No. 21 of the 9th August, 1853.*

CIRCULAR Order No. 11 of the 10th November, 1853, contained instructions for addressing, after the 18th idem, all letters intended for the Superintendent of Police, Lower Provinces, to him, "on his tour."

No. 11, of 1853.

## No. CCXXXV.

TO ALL MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES.

No. 12, of 1853.

No. 12.—Dated Patna, the 30th December, 1853.

What information should be supplied in future with the Police Reports.

I HAVE the honor to forward for your information and guidance, copy of the Resolution of the Most Noble the Governor of Bengal on my Police Report for the year 1851, dated the 8th of September last. Such remarks in it as may respect the District under your control, will, I have no doubt, receive your best attention; and to enable me to prepare the returns therein required from my office, I have to request that you will furnish me, besides the annual statements due for 1853, with the following additional ones for that year, and for following years as they fall due.

A comparative statement of crimes for 1853, and for nine years immediately preceding it.

A comparative statement of the proportion of convictions obtained in

Vide para. 43, of the Resolution. dacoity, homicide, and affrays for 1853, and for the nine preceding years.

A statement of the population of the district for the year 1853. This

Vide para. 44, of the Resolution may be prepared from the house lists of each Thannah, which are believed to be extant, and which should be revised once a year.



*Resolution recorded by the Most Noble the Governor of Bengal on the 8th September, 1853, on the Report of the Superintendent of Police, Lower Provinces, on the Police for the year 1851.*

The Most Noble the Governor of Bengal having had under review the report on the state of the Police in the Lower Provinces\* for the year 1851, submitted by the Superintendent of Police, records thereon the following remarks:—

2. The total number of offences of all kinds in the 31 districts to which these reports have reference, ascertained by the Police to have been committed during the year 1851, was 82,925, being an increase

|                                     |        |
|-------------------------------------|--------|
| of 1,570 as compared with the year, | 1850   |
| „ 387, .....                        | „ 1849 |
| „ 2,043, .....                      | „ 1848 |
| „ 10,022, .....                     | „ 1847 |
| „ 12,930, .....                     | „ 1846 |
| „ 15,088, .....                     | „ 1845 |
| „ 23,337, .....                     | „ 1844 |
| „ 26,223, .....                     | „ 1843 |

and finally an increase of 11,450 as compared with the average of the eight years preceding 1851.

| Year.     | Offences. | Increase per cent. |
|-----------|-----------|--------------------|
| 1843..... | 56,702    |                    |
| 1844..... | 59,588    | 5.                 |
| 1845..... | 67,837    | 13.                |
| 1846..... | 69,995    | 3.1                |
| 1847..... | 72,903    | 4.1                |
| 1848..... | 80,882    | 10.9               |
| 1849..... | 82,538    | 2.                 |
|           |           | Decrease.          |
| 1850..... | 81,355    | 1.4                |
|           |           | Increase.          |
| 1851..... | 82,925    | 1.9                |

3. From this it appears, that if the number of offences be taken as the test of the progress of crime, there has been a steady increase year by year, with one exception, 1850, when there was a slight decrease, which was more than recovered in the following year. It also appears, that since 1848, the percentage of annual increase has been smaller and more uniform.

\* Except the province of Cuttack, the Revenue Division of Chittagong, and the extra regulation provinces.

No. 12, of 1853.

4. The total number of persons convicted of offences of all descriptions during the year 1851, was 48,712, or 942 in excess of the average of the preceding eight years but 3,612 less than the average of the preceding three years.

*Convictions for 8 years.*

| Year.     | Convictions. |
|-----------|--------------|
| 1843..... | 37,724       |
| 1844..... | 42,066       |
| 1845..... | 47,212       |
| 1846..... | 48,628       |
| 1847..... | 49,648       |
| 1848..... | 51,891       |
| 1849..... | 54,526       |
| 1850..... | 50,554       |

5. The following table shows how far the number of cases reported to the Police, tallies with the number of persons convicted.

| Year.   | Convictions.             | Offences.            | Increase of convictions greater than the increase of offences by. | Increase of offences greater than increase of convictions by. |
|---------|--------------------------|----------------------|-------------------------------------------------------------------|---------------------------------------------------------------|
| In 1844 | Increase of 11 per cent. | Increase 5 per cent. | 6.7                                                               | ...                                                           |
| " 1845  | " 12 "                   | " 13 "               | ...                                                               | 1                                                             |
| " 1846  | " 3 "                    | " 3 "                | ...                                                               | ...                                                           |
| " 1847  | " 2 "                    | " 4 "                | ...                                                               | 2                                                             |
| " 1848  | " 4.5 "                  | " 10.9 "             | ...                                                               | 6.4                                                           |
| " 1849  | " 5 "                    | " 2 "                | 3                                                                 | ...                                                           |
| " 1850  | Decrease of 7 "          | Decrease 1.4 "       | ...                                                               | 6.4                                                           |
| " 1851  | " 3.6 "                  | Increase 1.9 "       | ...                                                               | 5                                                             |

6. It appears from this comparison, that there has been a much larger and more steady increase in the number of *offences* than in the number of *convictions*; and, as the *average* number of persons concerned in each offence is not likely to differ materially, the circumstance indicates faultiness in the system, the precise nature of which it should be the object of the Superintendent to discover.

7. The large proportion of acquittals to convictions during the same period is shewn in the following table.

In 1843 acquittals were 87 per cent. of convictions.

|              |      |   |
|--------------|------|---|
| " 1844 ..... | 70   | " |
| " 1845 ..... | 66.8 | " |
| " 1846 ..... | 61.8 | " |
| " 1847 ..... | 63   | " |
| " 1848 ..... | 60   | " |
| " 1849 ..... | 57.6 | " |
| " 1850 ..... | 60   | " |
| " 1851 ..... | 64.8 | " |

In 1851 the percentage of acquittals was nine less than the average of the preceding eight years : but is 4.4 higher than the average of the preceding five years.

No. 12, of 1853.

Taking the whole of these nine years there has been a decrease in the proportion of acquittals.

8. The above statements show an increase in the number of offenders in the ratio of 3 per cent. annually, on the last nine years.

What the increase of population has been during the same period, there are no data to determine, but the increase of population in Great Britain is one per cent. annually.

9. It may fairly be hoped that the increasing number of offences annually reported in these returns is in some part attributable to increased efficiency in our Police arrangements. Within the period under notice, 22 Deputy Magistrates have been appointed, and a still larger number of sub-divisions created. These, in bringing justice nearer to the people, must no doubt have had the effect of affording additional inducement to bring offences to the notice of the Police, while the increase in the salaries of Police officers (in the year 1845,) is reported, and may naturally be expected to have had a salutary effect on their efficiency and trustworthiness.

10. Taking the population of the 31 districts under notice at 31,193,615, and the average number of persons convicted during the last nine years, being 47,763, we have a proportion of one in 653.

From French criminal returns, it appears that the proportion of persons convicted to population (for the year, 1843,) was one in 539.

11. With reference to *crimes* properly so called, the facts shown in the Police reports for 1851, and previous years are as follows.

*Homicide.* Under this head there appears to have been the same steady annual increase which was observable in the case of offences generally.

*Homicide during 9 years.*

| 1843                                        | 1844 | 1845 | 1846 | 1847 | 1848 | 1849         | 1850 | 1851 |
|---------------------------------------------|------|------|------|------|------|--------------|------|------|
| 459                                         | 484  | 499  | 516  | 523  | 549  | 494          | 555  | 562  |
| Increase per cent. over preceding year, ... | 5    | 3    | 3    | 1    | 4.9  | Decrease. 10 | 12   | 1    |

12. The average number of crimes under this head for the eight years preceding 1851, was 510. This number has risen to 562 in 1851, an increase of 10 per cent.

The average number of crimes under this head for 1851, being 562, the average for each district will be 18. The districts wherein this number has been exceeded are as follows :—

No. 12, of 1853.

| Mymensing. | Sarun. | Behar. | Hooghly. | Backergunge. | Patna. | Beerbhoom. | Bhaugulpore. | Jessore. | Furteedpore. | Sylhet. |
|------------|--------|--------|----------|--------------|--------|------------|--------------|----------|--------------|---------|
| 39         | 29     | 28     | 26       | 26           | 25     | 25         | 22           | 21       | 21           | 20      |

13. The average of the preceding eight years in each district was  $16\frac{1}{2}$ .

The districts where this average was exceeded during that period are as follows :—

| Mymensing. | Sarun. | Behar.          | Shahabad.       | Patna.          | Backergunge. | Hooghly and Bhaugulpore. | Sylhet.*        | Furteedpore. | Jessore. | Beerbhoom. | Midnapore.      |
|------------|--------|-----------------|-----------------|-----------------|--------------|--------------------------|-----------------|--------------|----------|------------|-----------------|
| 29         | 26     | $24\frac{5}{8}$ | $23\frac{3}{4}$ | $23\frac{5}{8}$ | 23           | 21                       | $19\frac{3}{8}$ | 18           | 18       | 18         | $17\frac{3}{8}$ |

This list of districts is almost identical with the one before given, the only difference being the addition of another Behar district and of Midnapore.

14. The total number of persons convicted of this crime by the Sessions or Nizamut Judges in the year 1851, was 525 persons; which, supposing the estimate of the population before given to be correct, is one, to every 59,416 persons.

In England and Wales the total number of persons convicted during the year 1843, (when the population was about 17,721,664) for offences under the same head as these now under notice was 300, giving a proportion of one in every 59,072 persons.

15. The proportion of convictions to committals (as far as this point can be ascertained from the report, which is not at all clear on this head) is not very satisfactory, there having been 484 persons convicted to 225 acquitted at the Sessions or by the Nizamut Adawlut,\* or only 67.9 out of the whole number committed.

The districts where the proportion of convictions has been least favorable are as follows :—

| District.           | Percentage of Convictions to committals. |
|---------------------|------------------------------------------|
| Monghyr, .....      | 29                                       |
| Malda, .....        | 45                                       |
| Pubna, .....        | 28.5                                     |
| Moorshedabad, ..... | 44                                       |
| Midnapore, .....    | 18                                       |
| Howrah, .....       | 13                                       |

16. *Dacoity.* Under this head there has been a very serious increase of crime

\* 3 Districts are excluded from this calculation in consequence of the incompleteness of the returns for those districts.



| * Year.    | No. of Dacoities. | Percentage of the crime. | during the last few years. The total number of offences for the eight years preceding 1851, is shewn in the margin* with the yearly percentage of increase. | No. 12, of 1853. |
|------------|-------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 1843, .... | 377 .....         |                          |                                                                                                                                                             |                  |
| 1844 ....  | 463 .....         | 22.8 Increase            |                                                                                                                                                             |                  |
| 1845 ....  | 525 .....         | 13 ..                    |                                                                                                                                                             |                  |
| 1846 ....  | 450 .....         | 14 Decrease.             |                                                                                                                                                             |                  |
| 1847 ....  | 446 .....         | .88 ..                   |                                                                                                                                                             |                  |
| 1848 ....  | 550 .....         | 23 Increase.             |                                                                                                                                                             |                  |
| 1849 ....  | 658 .....         | 19.6 ..                  |                                                                                                                                                             |                  |
| 1850 ....  | 682 .....         | 3 6 ..                   |                                                                                                                                                             |                  |
| 1851 ....  | 833 .. ..         | 22 ..                    |                                                                                                                                                             |                  |

In 1851, the number of offences under this head was 833, or 314 (60.5 per cent.) more than the average of the preceding eight years.

The temporary decrease of dacoity in the years 1846 and 1847, is not accounted for in the reports for those years. From remarks made in other places the cause may fairly be connected with the price of food.

17. A table is subjoined shewing the relative extent of this crime in all districts where more than ten dacoities have been reported annually, and the relative increase of the crime during 1851 in the same districts as compared with the preceding average of eight years. The districts are arranged in the order of their populousness.

| District.          | Average No. of dacoities for 8 years. | Number in 1851. | Increase per cent. in 1851. | Special and local causes of the prevalence of dacoity referred to by the Superintendent of Police in his present and previous reports.                                                                         |
|--------------------|---------------------------------------|-----------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dinagepore, .....  | 15                                    | 14              |                             |                                                                                                                                                                                                                |
| Rajshahye, .....   | 28                                    | 29              | 3.5                         |                                                                                                                                                                                                                |
| Burdwan, .....     | 75                                    | 128             | 70.6                        |                                                                                                                                                                                                                |
| Beerbhoom, .....   | 19.5                                  | 27              | 43.5                        | Distress of the peasantry caused chiefly by the resumption of the Chakran (rent-free) lands by the Zemindars or middlemen; introduction of the subletting system; and low price of labour.                     |
| Hooghly, .....     | 76.5                                  | 118             | 54.                         | Failure of crops in several places during 1851. Proximity to Calcutta where dacoities are arranged, the leaders concealed, and the property disposed of with ease.                                             |
| Rungpore, .....    | 8.6                                   | 24              | 179.                        | The native Police bad; and during the year under notice, the absence of an efficient Magistrate.                                                                                                               |
| Moorshedabad, ...  | 29                                    | 51              | 110.                        | Extensive jurisdiction; and during 1851, general failure of crops.                                                                                                                                             |
| Midnapore, .....   | 41.5                                  | 59              | 42.                         | Extensive jurisdiction; and large tracts of jungle.                                                                                                                                                            |
| Jessore, .....     | 32                                    | 43              | 34.                         |                                                                                                                                                                                                                |
| Nuddea, .....      | 52.5                                  | 109             | 107.6                       |                                                                                                                                                                                                                |
| Bancoorah, .....   | 21.6                                  | 65              | 200.9                       | General poverty of the people, aggravated during 1851 by the general failure of the crops. The village Police driven to connive with the dacoits in consequence of the resumption of their lands by middlemen. |
| Bograh, .....      | 12.8                                  | 23              | 79.6                        |                                                                                                                                                                                                                |
| 24-Pergunnahs, ... | 12.5                                  | 14              | 12                          |                                                                                                                                                                                                                |
| Barraset, .....    | 20                                    | 37              | 85                          | Injurious effect of a frequent change of officers.                                                                                                                                                             |
| Howrah, .....      | 23                                    | 33              | 43                          | Proximity to Calcutta where the greater part of the dacoities are arranged, and where the property is at once concealed.                                                                                       |

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18. The following statement shews the progress of this crime during the last nine years in the two worst districts, Burdwan and Hooghly, and which, it will be observed stand 3rd and 5th in point of population.

*Number of Dacoities reported to the Police in Burdwan and Hooghly.*

| Burdwan. |                      |                               | Hooghly.             |                               | Remarks.                                                                                                                                                                                               |
|----------|----------------------|-------------------------------|----------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Year.    | Number of dacoities. | Increase over preceding year. | Number of dacoities. | Increase over preceding year. |                                                                                                                                                                                                        |
| 1843     | 41                   | ...                           | 33                   |                               | HOOGHLY.<br>It is not unworthy of remark that in the case of Hooghly, one of the most efficient and active Magistrates in Bengal, (Mr. Wauchope) was in charge during the greater part of this period. |
| 1844     | 63                   | 53.6                          | 71                   | 115                           |                                                                                                                                                                                                        |
| 1845     | 71                   | 12.7                          | 97                   | 22.5                          |                                                                                                                                                                                                        |
|          |                      | Decrease.                     |                      | Decrease.                     | There can be little doubt that the comparative impunity to Dacoits, the result of frequent acquittals in the Sessions Court, must have tended greatly to permit the increase of this crime.            |
| 1846     | 67                   | 5.6                           | 63                   | 35                            |                                                                                                                                                                                                        |
|          |                      | Increase.                     |                      | Increase.                     |                                                                                                                                                                                                        |
| 1847     | 70                   | 4.4                           | 68                   | 7.9                           |                                                                                                                                                                                                        |
| 1848     | 80                   | 14                            | 93                   | 36.7                          |                                                                                                                                                                                                        |
|          |                      |                               |                      | Decrease.                     |                                                                                                                                                                                                        |
| 1849     | 105                  | 31                            | 77                   | 20.7                          |                                                                                                                                                                                                        |
|          |                      |                               |                      | Increase.                     |                                                                                                                                                                                                        |
| 1850     | 106                  | .9                            | 110                  | 42.8                          |                                                                                                                                                                                                        |
| 1851     | 128                  | 20.7                          | 118                  | 7                             |                                                                                                                                                                                                        |

19. The degree of success which has been obtained in bringing the authors of this crime to justice is as follows:—

*Convictions in Dacoity for 1851.*

| District.           | Number of persons engaged on the estimate of 10 to each Dacoity. | Number actually convicted by Sessions Judge or Nizamut Adawlut. | Number released by Sessions Judge or Nizamut Adawlut. | Percentage of convictions out of the total No. sent to the Sessions. |
|---------------------|------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------|----------------------------------------------------------------------|
| Burdwan, .....      | 1280                                                             | 34                                                              | 22                                                    | 60.7                                                                 |
| Hooghly, .....      | 1180                                                             | 18                                                              | 36                                                    | 33                                                                   |
| Nuddea, .....       | 1090                                                             | 33                                                              | 94                                                    | 25.9                                                                 |
| Baneoorah, .....    | 650                                                              | 57                                                              | 23                                                    | 71                                                                   |
| Midnapore, .....    | 590                                                              | 25                                                              | 18                                                    | 58                                                                   |
| Moorshedabad, ..... | 510                                                              | 12                                                              | 10                                                    | 51.5                                                                 |
| Barraset, .....     | 370                                                              | 14                                                              | 31                                                    | 29                                                                   |
| Howrah, .....       | 330                                                              | 18                                                              | 4                                                     | 81.8                                                                 |

The result here shown is, that in the eight districts named, upwards of 6,000\* persons must have been engaged and that 211 persons have been convicted, or less than four per cent. and that the proportion of these last to the whole number committed to the Sessions is only 46.6.

20. *Burglary.* The total number of offences brought to the notice of the Police in the year 1851, was 19,293 being 6,418 (or 49.8 per cent.) in excess of the average of the preceding eight years, during which the rate of increase has been as shewn in the margin.\*

21. The average number of burglaries for each district during the eight years ending with 1850, was, 415, and the following is a list of those districts, where this average was exceeded.

| District.          | Place held by district in point of population. | Average No. of burglaries in eight years. | Number in 1853. | Increase per cent. in 1851. |
|--------------------|------------------------------------------------|-------------------------------------------|-----------------|-----------------------------|
| Tirhoot, .....     | 6th                                            | 1154                                      | 1884            | 63                          |
| Dinagapore, .....  | 1st                                            | 1143                                      | 1206            | 5.5                         |
| Behar, .....       | 20th                                           | 932                                       | 1419            | 5.2                         |
| Patna, .....       | 18th                                           | 894                                       | 1470            | 64                          |
| Sarun, .....       | 22nd                                           | 735                                       | 1600            | 117.6                       |
| Bogra, .....       | 28th                                           | 667                                       | 1248            | 87                          |
| Nuddeah, .....     | 19th                                           | 553                                       | 680             | 22.9                        |
| Pubnah, .....      | 17th                                           | 550                                       | 817             | 48.5                        |
| Shahabad, .....    | 7th                                            | 508                                       | 415             | Decrease.<br>18             |
| Bhaugulpore, ..... | 10th                                           | 501                                       | 809             | Increase.<br>61             |
| Monghyr, .....     | 16th                                           | 472                                       | 801             | 69                          |

In Rajshahye there has been an increase above the average of 8 per cent. and in Purneah of 11 per cent.

Adding to the number of burglaries committed in those Behar districts which are named above, the number committed in Chumparun and Purneah, (the only Behar

\* The fact of there not being 6,000 *different* persons, and that the same men were engaged again and again in committing these dacoities does not weaken this statement.

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districts not included), it appears that Behar yielded in the year 1851, fifty per cent. of the total number of burglaries committed in the 31 districts under our notice, while the estimated proportion of population in Behar to that of the other districts is only 32 per cent.

His Lordship observes that the very large increase of crime under this head (117.6 per cent.) which has taken place in Sarun is attributed by the Officiating Magistrate to the presence of large parties of Gypsies in the district who subsist by theft and burglary.

No explanation is afforded (as should have been done) of the large increase of burglary (87 per cent.) which has taken place in Bogra—nor in Patna, (where the increase was 64 per cent.) and in other districts. His Lordship desires that this defect may be corrected in future reports.

22. The total number of persons arrested in 1851, on the charge of having committed burglary was 3,085, and of these 1,192 were convicted,—or 38.6 per cent.

These results cannot, in His Lordship's opinion, be regarded as satisfactory, and it is manifest that a vast number of persons must be arrested and sent in by the Police against whom there is little or no evidence.

23. The following are the districts where less than 50 per cent. of the number of arrests have been followed by convictions during the year 1851.

| Districts.               | Percentage of conviction<br>to arrests. |
|--------------------------|-----------------------------------------|
| Malda, . . . . .         | 9.7                                     |
| Dinagepore, . . . . .    | 11.8                                    |
| Nuddeah, . . . . .       | 14.8                                    |
| Rajshahye, . . . . .     | 21.                                     |
| Purneah, . . . . .       | 21.                                     |
| Rungpore, . . . . .      | 23.                                     |
| 24-Pergunnahs, . . . . . | 23.                                     |
| Moorshedabad, . . . . .  | 27.                                     |
| Furreedpore, . . . . .   | 27.                                     |
| Behar, . . . . .         | 27.6                                    |
| Jessore, . . . . .       | 28.8                                    |
| Midnapore, . . . . .     | 33.7                                    |
| Dacca, . . . . .         | 34.8                                    |
| Sarun, . . . . .         | 35.5                                    |
| Patna, . . . . .         | 35.8                                    |
| Burdwan, . . . . .       | 36.8                                    |
| Mymensingh, . . . . .    | 37.                                     |
| Hooghly, . . . . .       | 41.                                     |
| Bancoorah, . . . . .     | 41.8                                    |
| Backergunge, . . . . .   | 43.                                     |



There is only one district in which 75 per cent. has been obtained viz. Bogra. No. 12, of 1853.  
The following are the districts in which the convictions have reached upward of 60 per cent.

|                  |      |
|------------------|------|
| Bogra, .....     | 75.  |
| Tirhoot, .....   | 62.8 |
| Sylhet, .....    | 64.  |
| Beerbhoom, ..... | 64.8 |

The Superintendent's report contains no explanation of this very unfavourable state of things.

24. The proportion of persons convicted of burglary to the population of these districts was 1 in 10,111, or adding the number of persons convicted of dacoity (which would be deemed burglary in England) 1 in 8,927.

The proportion of persons in England and Wales committed in the year 1849 for burglary and house breaking was 1 in 13,464.

| * Year.   | No. of thefts. | Rate of increase. |
|-----------|----------------|-------------------|
| 1843 .... | 10,395         |                   |
| 1844 .... | 11,478         | 10                |
| 1845 .... | 11,824         | 3                 |
| 1846 .... | 11,695         | 1 Decrease.       |
| 1847 .... | 11,847         | 1 Increase.       |
| 1848 .... | 13,042         | 10                |
| 1849 .... | 13,927         | 6.7               |
| 1850 .... | 14,138         | 1.5               |
| 1851 .... | 14,650         | 3.6               |

25. *Theft.* The table in the margin\* exhibits the yearly increase of this crime. The number of thefts brought to the notice of the Police in 1851 was 14,650, being 19 per cent. in excess of the 8 years average. This makes an average of 397 for each district.

The districts in which that average was exceeded are as follows:—

| Dinagore. | Behar. | Shahabad. | Bogra. | Bhaugulpore. | Patna. | Tirhoot. | Chumparun. | Sarun. | Midnapore. | Bancoorah. | Beerbhoom. | Burdwan. | Sylhet. |
|-----------|--------|-----------|--------|--------------|--------|----------|------------|--------|------------|------------|------------|----------|---------|
| 748       | 740    | 731       | 674    | 644          | 577    | 532      | 527        | 527    | 523        | 476        | 451        | 434      | 415     |

26. The average number of thefts committed in each district in the year 1851 was 473.

The districts in which this average was exceeded were as follows:—

|                                           | Bogra. | Sarun. | Dinagore. | Chumparun. | Bhaugulpore. | Patna. | Behar. | Shahabad. | Mymensingh. | Burdwan. | Tirhoot. | Sylhet. | Midnapore. |
|-------------------------------------------|--------|--------|-----------|------------|--------------|--------|--------|-----------|-------------|----------|----------|---------|------------|
|                                           | 931    | 925    | 901       | 864        | 834          | 807    | 740    | 618       | 545         | 543      | 542      | 534     | 530        |
| Yearly average of preceding 8 years. .... | 674    | 527    | 748       | 527        | 644          | 577    | 740    | 731       | 375         | 435      | 532      | 415     | 529        |

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With the exception of Sarun, the Superintendent of Police has omitted to shew any special cause for the increase of this crime in the districts above noted. The number of persons arrested in 1851, on the charge of theft was 9,856, and the number convicted 4,225, or only 42.8 per cent.

27. Those districts in which the convictions have been less than 50 per cent. of arrests are as follows :—

| District.            | Percentage of convictions to arrest. |
|----------------------|--------------------------------------|
| Malda, .....         | 17.8                                 |
| Dinagepore, .....    | 20.6                                 |
| Moorshedabad, .....  | 25.                                  |
| Rajshahye, .....     | 26.                                  |
| Dacca, .....         | 26.4                                 |
| Burdwan, .....       | 27.8                                 |
| Rungpore, .....      | 35.                                  |
| Howrah, .....        | 35.                                  |
| Purneah, .....       | 35.8                                 |
| Hooghly, .....       | 37.                                  |
| 24-Pergunnahs, ..... | 38.                                  |
| Nuddea, .....        | 39.                                  |
| Bogra, .....         | 39.9                                 |
| Behar, .....         | 42.                                  |
| Bancoorah, .....     | 43.5                                 |
| Sarun, .....         | 44.9                                 |
| Bhaugulpore, .....   | 44.9                                 |
| Furcedpore, .....    | 47.7                                 |
| Beerbhoom, .....     | 49.5                                 |

The Superintendent of Police affords no explanation of the unsatisfactory results exhibited in these returns.

28. *Affrays.* There is no indication, His Lordship regrets to observe, of any diminution in this crime, though there appears to have been very great fluctuation in the rate at which it has increased.

29. The total number of affrays in 1851, is 35 per cent. in excess of the octennial average. The average number of affrays in each district for the same period was 24.

The following are the districts in which that average was exceeded.

| Total of 8 years. | Midnapore. | Hooghly. | Sarun. | Furcedpore. | Shahabad. | Backergunge. | Nuddea. | Monghyr. | Patna. | Jessore. | Bhaugulpore. |
|-------------------|------------|----------|--------|-------------|-----------|--------------|---------|----------|--------|----------|--------------|
|                   | 92         | 71       | 67     | 46          | 40        | 40           | 35      | 32       | 27     | 27       | 26           |

30. The average number of affrays in each district for 1851, was 4.09.

Those in which this average was exceeded, were as follows :—

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| No. in 1851. | Pubna. | Hooghly. | Patna. | Blaugulpore. | Shahabad. | Furzedpore. | Backergunge. | Nuddia. | Bancoorah. | Sarun. | Monghyr. |
|--------------|--------|----------|--------|--------------|-----------|-------------|--------------|---------|------------|--------|----------|
|              | 20     | 14       | 10.    | 8            | 7         | 7           | 6            | 6       | 6          | 5      | 5        |
|              | 2.6    | 3        | 8      | 5            | 5         | 5.7         | 5            | 4       | 3          | 8      | 4        |

The large increase in this crime which has taken place in Pubna, Hooghly, and Patna has not been explained.

31. The number of persons punished, or the proportion of convictions to arrests cannot be ascertained from the report.

32. On the whole 35,360 serious offences or crimes have been brought to the knowledge of the Police during the year 1851.

Of these, burglaries form ..... 54.5 per cent.

Thefts, ..... 41 „

Dacoities, ..... 2 „

Homicide, ..... 1.6 „

Affrays, ..... .3 „

33. The following table shews the relative prevalence of these crimes in the different districts under review.

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| District.    |                   | Of the burglaries, 72.6 have been committed in the following districts. | Of theft, 95.6 have been committed in the following districts. | Of dacoities, 99 per cent. have been committed in the following districts. | Of homicide, 50 per cent. in the following districts. | Of affrays, 74 per cent. in the following districts. |
|--------------|-------------------|-------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------|------------------------------------------------------|
| Behar.       | Tirhoot, .....    | Tirhoot                                                                 | Tirhoot                                                        | .....                                                                      | .....                                                 | .....                                                |
|              | Sarun, .....      | Sarun                                                                   | Sarun                                                          | .....                                                                      | Sarun                                                 | Sarun.                                               |
|              | Patna, .....      | Patna                                                                   | Patna                                                          | .....                                                                      | Patna                                                 | Patna.                                               |
|              | Behar, .....      | Behar                                                                   | Behar                                                          | .....                                                                      | Behar                                                 | .....                                                |
|              | Monghyr, ..       | Monghyr                                                                 | .....                                                          | .....                                                                      | .....                                                 | Monghyr.                                             |
|              | Bhaugulpore, ..   | Bhaugulpore                                                             | Bhaugulpore                                                    | .....                                                                      | Bhaugulpore                                           | Bhaugulpore.                                         |
|              | Shahabad, ...     | .....                                                                   | Shahabad                                                       | .....                                                                      | .....                                                 | Shahabad.                                            |
|              | Champurun, ..     | .....                                                                   | Champurun                                                      | .....                                                                      | .....                                                 | .....                                                |
|              | Purneah, ...      | Purneah                                                                 | .....                                                          | .....                                                                      | .....                                                 | .....                                                |
|              | Mymensingh, ..    | .....                                                                   | Mymensingh                                                     | .....                                                                      | Mymensingh                                            | .....                                                |
| Eastn. Beng. | Jessore, .....    | .....                                                                   | .....                                                          | Jessore                                                                    | Jessore                                               | .....                                                |
|              | Sylhet, .....     | .....                                                                   | Sylhet                                                         | .....                                                                      | Sylhet                                                | .....                                                |
|              | Backergunge, ..   | .....                                                                   | .....                                                          | .....                                                                      | Backergunge                                           | Backergunge.                                         |
|              | Furreedpore, ..   | .....                                                                   | .....                                                          | .....                                                                      | Furreedpore                                           | Furreedpore.                                         |
|              | Dinagepore, ..... | Dinagepore                                                              | Dinagepore                                                     | .....                                                                      | .....                                                 | .....                                                |
|              | Malda, .....      | .....                                                                   | .....                                                          | Malda                                                                      | .....                                                 | .....                                                |
|              | Rajshahye, .....  | Rajshahye                                                               | .....                                                          | Rajshahye                                                                  | .....                                                 | .....                                                |
|              | Bogra, .....      | Bogra                                                                   | Bogra                                                          | .....                                                                      | .....                                                 | .....                                                |
|              | Pubna, .....      | Pubna                                                                   | .....                                                          | .....                                                                      | .....                                                 | Pubna.                                               |
|              | Nuddea, .....     | Nuddea                                                                  | .....                                                          | Nuddea                                                                     | .....                                                 | Nuddea.                                              |
|              | Moorshedabad, ... | .....                                                                   | .....                                                          | Moorshedabad                                                               | .....                                                 | .....                                                |
|              | Beerbhoom, .....  | .....                                                                   | .....                                                          | Beerbhoom                                                                  | Beerbhoom                                             | .....                                                |
|              | Bancoorah, .....  | Bancoorah                                                               | .....                                                          | Bancoorah                                                                  | .....                                                 | Bancoorah.                                           |
|              | Burdwan, .....    | .....                                                                   | Burdwan                                                        | .....                                                                      | .....                                                 | .....                                                |
|              | Hooghly, .....    | .....                                                                   | .....                                                          | Hooghly                                                                    | Hooghly                                               | Hooghly.                                             |
|              | Howrah, .....     | .....                                                                   | .....                                                          | Howrah                                                                     | .....                                                 | .....                                                |
|              | Barraset, .....   | .....                                                                   | .....                                                          | Barraset                                                                   | .....                                                 | .....                                                |
|              | Midnapore, .....  | .....                                                                   | Midnapore                                                      | Midnapore                                                                  | .....                                                 | .....                                                |

His Lordship observes that Bhaugulpore, Sarun and Patna appear under four of these five heads; Behar, Nuddea, Bancoorah, Hooghly under three; and Tirhoot, Monghyr, Shahabad, Dinagepore, Rajshahye, Bogra, Mymensingh, Burdwan, Sylhet, Midnapore, Jessore, Beerbhoom, Backergunge, and Furreedpore, under two.

The districts which appear under one head only, and those not included in either of these columns are: 1st, Purneah, Champurun, Moorshedabad, Barraset, Howrah, Maldah; and 2ndly, the 24-Pergunnahs, Nuddea, Dacca and Rungpore.

34. Under the four divisions of crime, *homicide*, *dacoity*, *burglary* and *theft*, 14,433 persons were arrested or committed, and of these 6,310 were convicted, or 43.7 per cent.

The districts in which the convictions fell short of 50 per cent. under more than one head are as follows:—



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| Homicide.    | Dacoity.   | Burglary      | Theft.         |
|--------------|------------|---------------|----------------|
| Sarun        | .....      | Sarun         | Sarun.         |
| Malda        | Malda      | Malda         | Malda.         |
| Moorshedabad | .....      | Moorshedabad  | Moorshedabad.  |
| Midnapore    | .....      | Midnapore     | Midnapore.     |
| .....        | Hooghly    | Hooghly       | Hooghly.       |
| .....        | Nuddea     | Nuddea        | Nuddea.        |
| .....        | .....      | Burdwan       | Burdwan.       |
| .....        | .....      | Bancoorah     | Bancoorah.     |
| .....        | Rungpore   | Rungpore      | Rungpore.      |
| .....        | Dinagepore | Dinagepore    | Dinagepore.    |
| .....        | Rajshahye  | Rajshahye     | Rajshahye.     |
| .....        | .....      | Purneah       | Purneah.       |
| .....        | .....      | 24-Pergunnahs | 24-Pergunnahs. |
| .....        | .....      | Furreedpore   | Furreedpore.   |
| .....        | .....      | Behar         | Behar.         |
| .....        | .....      | Dacca         | Dacca.         |

35. *Value of property recovered.*—The average proportion of property recovered to property stolen is only 12.2 per cent. which His Lordship observes is less than that of the two preceding years.\*

\* Rs. As. P  
1849,.... 14 10 10  
1850,.... 13 8 6

In 'those districts in which the proportion of property recovered' is less than the average above stated, the percentage is as follows :—

|                   |     |
|-------------------|-----|
| Barraset, .....   | 2.2 |
| Bogra, .....      | 4.4 |
| Rajshahye, .....  | 4.7 |
| Burdwan, .....    | 4.9 |
| Nuddea, .....     | 5.8 |
| Mymensingh, ..... | 6.9 |
| Howrah, .....     | 7.7 |
| Jessore, .....    | 8.2 |
| Champarun, .....  | 8.7 |
| Dinagepore, ..... | 9.6 |

Those in which the ratio is very much more favorable are :—

|                  |      |
|------------------|------|
| Dacca, .....     | 29.5 |
| Maldah, .....    | 23.1 |
| Purneah, .....   | 22.9 |
| Midnapore, ..... | 21.1 |
| Hooghly, .....   | 18.6 |
| Patna, .....     | 18.2 |

|     |   |   |   |   |   |   |   |   |
|-----|---|---|---|---|---|---|---|---|
| 36. | * | * | * | * | * | * | * | * |
| 37. | * | * | * | * | * | * | * | * |

38. During the year under review, officers in charge of districts have not been changed so frequently as in former years.

Changes of this nature took place in nineteen districts, and the average time during

No. 12, of 1853, which each officer in these districts remained in charge was 1 months, 3 weeks and 9 days.

The following table gives the detail of these changes :—

In 12 districts there was no change.

|        |           |
|--------|-----------|
| „ 11 „ | 1 change. |
| „ 5 „  | 2 „       |
| „ 2 „  | 3 „       |
| „ 1 „  | 7 „       |

---

31

39. Of the 31 officers in charge of districts on the 31st December 1851,

1 had been appointed to his then charge above 8 years.

|    |           |
|----|-----------|
| 1  | „ 5 „     |
| 3  | „ 4 „     |
| 2  | „ 3 „     |
| 3  | „ 2 „     |
| 6  | „ 1 year. |
| 15 | under 1 „ |

---

31

40. The figured statements having been compared with the figures given in the body of the report, it appears that the report is free from many of the discrepancies which have marked previous reports. There are however many defects still observable.

41. The Superintendent will be requested to institute in future reports, a comparison between the results of the year reported on, and the average derived from the returns of several preceding years, instead of confining their comparison to the single year immediately preceding.

42. The Superintendent will also be requested to give a special and separate return of the progress of crime, and of the proportion of convictions to arrests and commitments under the five principal heads under which crimes in this country may be classified, omitting from this statement all the petty offences which form so large a proportion of the total number of offences.

43. At present, the proportion of convictions obtained in *dacoity*, *homicide*, and *affrays* are not shewn at all in a tabular form, and can only be obtained with difficulty from the body of the report. There should also be the means of seeing at once what progress is made in this respect in comparison with former years.

44. There is at present, His Lordship observes, no means of knowing the relative proportion of crime to population in the different districts. With a view to the attainment of this object the Superintendent will be directed to require from his subordinates, revised house-lists for every thannah. Lists of this kind already exist, but they should be revised once a year and the result communicated to the Superintendent.

Taking 4.5 as the average number of souls to each house, there will be the means of at least approximately estimating the relative prevalence of crime in each district.

This information is also calculated to throw light on another important point regarding which there is at present no evidence, viz. the fluctuation of population.

45. Whenever in the case of any particular district or crime, there has been a marked change, the Superintendent will always endeavour to ascertain and state the causes which have been at work, the state of crops, price of food, decrease of population, changes in the tenure of land, character of the officer in charge of the police, &c.

Information of this kind is very seldom afforded in the Superintendent's reports, and His Lordship observes that in the case of some districts, an unfavorable proportion of convictions is attributed to the Police, in others, where the results are equally unfavorable either the Magistrate's efficiency is impugned, or no cause at all is assigned.

46. The Superintendent's attention will be called to the very imperfect nature of the statement marked F in the appendix to his report, in the compilation of which, there appears to have been great want of care and discrimination.

It is evident that in the preparation of the returns furnished by his subordinates, no uniform principle of classification or nomenclature has been observed; and that instead of requiring those officers to correct these errors, the Superintendent has adopted them in his own statement.

Thus, wherever a Magistrate has described any particular offence in terms different from those applied to the same offence by other Magistrates, the Superintendent gives a separate column to each of these definitions instead of including all offences which are really of one kind under a single heading. The result is, that such anomalies as the following pervade the statement in question: under the heading "*Accomplice in theft*" one offence is recorded for the whole superintendency: "*Affray with Homicide*" appears twice over under different classes of offences, so also "*Affray with breach of the Peace*," besides which there are other columns headed, "*Affray*," "*Petty affray*," "*Riot*."

Moreover, this attempt at minute classification, His Lordship observes, can be of no practical use.

The Superintendent will therefore be requested to instruct his subordinates carefully as to the principles of classification to be observed in their periodical returns, and to insist rigidly on the observance of the same. At the same time, the Superintendent's own statement will in future be drawn up on a simpler and more comprehensive plan.

47. The Superintendent has omitted in the reports for the last two years to annex any observations on general questions as to the working of the law, and the general administration of justice and police, which circumstances may have called his attention to during the year. This should always be done. It is impossible, but that every year's management of such an extensive jurisdiction must suggest numerous points worthy of observation and explanation.

#### ORDER.

Ordered that a copy of the above Resolution be forwarded to the Superintendent of Police for his information, and for communication to the several Magistrates named therein, of such portions as may concern them.

No. 1, of 1854.

CIRCULAR Order No. 1, of the 18th January, 1854, circulated a descriptive roll of one Jacob Ruhim, a convict, who had escaped from Penang, and contained instructions for his re-apprehension.

## No. CCXXXVI.

TO ALL MAGISTRATES AND JOINT MAGISTRATES IN THE  
LOWER PROVINCES:

No. 2, of 1854.

No. 2.—Dated Patna, 28th January, 1854.

Employment of  
Assistants.

I AM directed to inform you, that whilst Assistants are employed in the transaction of revenue duties in the interior of the District, there is no objection to their taking up criminal business, connected with those parts of the District in which they may be employed, on the distinct understanding that the Assistants shall only take up criminal cases, so far as their revenue duties during the period in question may give them leisure, and so as not to interfere with the due discharge of the latter.

2. Where Assistants have full powers, they might be instructed in special cases to receive petitions direct, but in general it will be advisable for the Magistrate to refer cases to the Assistants with the reference to the understanding noted above.

C. O. Bd. of Rev.  
No. 5, of 1854.

\* See page 216.

With reference to Circular Order, No. 62, dated the 3rd September 1850,\* I am directed by the Board of Revenue to forward herewith for your information and guidance, a copy of a letter from the Officiating Under-Secretary to the Government of Bengal to the address of the Superintendent of Police, No. 120, dated the 13th ultimo, relative to the employment of Assistants, when engaged during the cold season on settlement or other revenue duties, on such criminal cases also as may arise in the neighbourhood of their encampment.

G.O. 13th January,  
1854.

*From HODGSON PRATT, Esq. Officiating Under-Secretary to the Government of Bengal, to W. DAMPIER, Esq. Superintendent of Police, Lower Provinces, No. 120, dated Fort William, the 13th January, 1854.*

Judicial.

I am directed by the Deputy Governor of Bengal, to acknowledge the receipt of your letter, No. 2915, of the 26th November last, giving cover to one from Mr. Montresor, the Magistrate of Nuddea, in which it is proposed that his Assistant, Mr. Lawford, should, when employed during the cold season in settlement or other revenue duties, be permitted to take up such criminal cases also as he is competent to decide, that may arise in the neighbourhood of his encampment.



2nd. In reply, I am directed to inform you, that His Honor has been pleased, in compliance with your recommendation and under the circumstances represented in support of the proposal, to sanction the same, and to direct that it may be carried into effect on the distinct understanding that the Assistant shall only take up criminal cases so far as his revenue duties during the period in question may give him leisure, and so as not to interfere with the due discharge of the latter.

No. 2, of 1854.

3rd. His Honor also desires me to inform you, that there is no objection to a similar arrangement being carried out in the other Districts in the Lower Provinces; and accordingly requests that the necessary instructions may at once be issued by you, to the several Magistrates under your control, for its adoption, so far as may be practicable in their respective Districts.

4th. A copy of this correspondence will be forwarded to the Board of Revenue for the information and guidance of the local revenue authorities.

*Circular Order Board of Revenue No. 5, dated the 3d February. 1854.*

## No. CCXXXVII.

### TO THE MAGISTRATES AND JOINT MAGISTRATES IN THE LOWER PROVINCES.

No. 3.—Dated Patna, 28th January, 1854.

No. 3, of 1854.

I HAVE the honor to call your attention to the furnishing me with the list of printing presses in your district, and the several periodical and other works published at them, the annual transmission of which, according to a prescribed form, was directed in my Circular Letter No. 5, of 1853.

Calling for returns of native printing presses, &c.  
C. O. No. CCXXIX.

CIRCULAR Order, No. 4, of the 16th February, 1854, circulated “a further list of Police officers who have been excluded from the force for disqualifying offences, and are not eligible for re-employment without special reference to higher authority,” or to the Commissioner of Circuit. “The list is brought down to the period of the abolition” of the office of Superintendent of Police.

No. 4, of 1854.

END OF THE CIRCULARS.



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# A P P E N D I X.

## *Rules for the Guidance of Deputy Magistrates and Assistants in Charge of Sub-divisions.*

### OFFICERS EXERCISING THE FULL POWERS OF A MAGISTRATE.

1. After assuming charge of their Sub-Divisions, Deputy Magistrates and Assistants will hear and pass orders on all reports which may be submitted by the Police, receiving petitions from the inhabitants within their jurisdiction, and deciding, or committing all cases brought before them, excepting such as the Magistrates may think proper to call for and decide themselves. As the Deputies and Assistants will have been vested with the full powers of a Magistrate, it is unnecessary to lay down any special rules for their guidance as judicial officers. It will be sufficient to enjoin upon them a strict adherence to the Government Regulations and the Rules and Orders of the Court of Sudder Nizamat and of the Superintendent of Police Lower Provinces.

Reports, petitions and other cases.

2. As the great object of stationing officers in the interior of Districts is to relieve the inhabitants within their Divisions from the delays and inconveniences to which they are now subject in their applications to station courts; and secondly, to secure a more effectual control, than has hitherto been possible, over the Police employed in distant Thannahs, the Deputies and Assistants are particularly enjoined to avoid all unnecessary detention of parties in suits before them, to render themselves freely accessible to people of all classes, to listen to their communications with temper and consideration, and during the dry weather to be as much as possible upon the move, visiting the Thannahs under them, investigating serious offences on the spot where they occur. Acquiring every possible information from every available source, as to the characters of the Police officers and the landholders, or middlemen of the Sub-Division—ferreting out receivers of stolen property and such parties as make a practice of harbouring robbers, and generally (after consultation, if necessary, with the Magistrate,) taking such measures as may appear most advisable for the suppression of crime and the maintenance of peace and good order.

Not to detain parties in suits before them, to be accessible to all, and to move about the district for the maintenance of good order.

3. On the occurrence of any heinous offence, they will report the circumstances to the Magistrate either in English, or in the Vernacular, as they may find most convenient, and will keep that officer weekly informed of the progress and result of their proceedings for the apprehension and conviction of the parties concerned, paying due regard to any instructions which they may receive from him. The Magistrate will

Heinous offences to be reported.

forward copies of these reports to the Superintendent of Police Lower Provinces, with as little delay as possible.

Measures to be taken in cases of violent death, or wounding.

4. In cases of murder, homicide, or unnatural death, accompanied with suspicious circumstances; as also in cases of severe wounding, the corpse, or wounded person, will be forwarded by the Police, as soon as the customary "Sooruthal" has been recorded, to the officer in charge of the Sub-Division, should his Station be in the direct line between the place where the investigation is going on and the Sudder Station of the Magistrate. The Deputy, or Assistant, after inspecting the corpse, or wounded person, as the case may be, will lose no time in sending the same on to the Sudder Station for examination by the Civil Surgeon. But, should the Deputy or Assistant be absent from the subordinate Station when the corpse or wounded person arrives there, or should his Station be out of the direct line, the corpse, or wounded person, shall be forwarded on, to the Sudder Station, without awaiting the return of the above officer. The Civil Surgeon's report will be addressed to the officer in charge of the Sub-Division who, whenever such may be necessary, will request the Magistrate at the Sudder Station to take the deposition of the Medical officer and furnish him with a copy thereof, in order to enable him to judge as to the propriety of making further enquiries, and to assist him in drawing up the Calendar of Commitment.

To inspect the corpse, or wounded person.

When absent from station.

When subordinate to two Magistrates.

5. Deputies, subordinate to two or more Magistrates, will use their own discretion, as to priority in the execution of orders simultaneously received from different superiors.

Correspondence with superior authorities.

6. The Deputy Magistrates will invariably correspond with the superior authorities through the Magistrates to whom they are subordinate, except in cases of emergency, where delay would be mischievous, or highly inconvenient.

Statements.

7. The Monthly Statements of work disposed of and pending must be despatched by the Deputy Magistrates and Assistants on or before the 5th of each month, and the Yearly Statements not later than the 10th of January. On each Monthly Statement the subordinate officers will make a note of the number of times, during the month, on which they have proceeded on duty into the interior, and the number of days they have on that account been absent from their Stations.

Custody of prisoners.

When sentenced to simple imprisonment for one month.

8. Such parties as the Deputies or Assistants may sentence to simple imprisonment, not exceeding one month, will be retained in custody in the place set apart for such parties at the head quarters of the Sub-Division.

When exceeding one month;

Or for any period with labor.

9. Prisoners whose sentences may exceed one month, together with all prisoners sentenced to hard labor, and prisoners committed to the Sessions, should be forwarded to the Sudder Station under a guard of Burkundazes, as often as may be practicable; but never less seldom than once a week, and care should be taken to transmit along with them, their Warrants, and the Calendars of Commitment, together with such other papers, as may be necessary. The term of imprisonment of prisoners sent to the Sudder Station will be calculated from the date of sentence.

Fines, deposits, &c.

10. By the same opportunity the subordinate officers will remit such sums as they may have received on account of fines, deposits, sale of unclaimed property, &c., transmitting along with them copies of their Weekly Cash Account, which must give

clearly the different heads of receipts. Deposits on account of diet money of witnesses need not be remitted to the Sudder Station, the unexpended balances of the same being repayable, according to law, on the decision of each case, to the Depositors.

11. All refunds of fines, deposits, (with the above exception,) &c., will be made from the Magistrate's Treasury, on receipt of a Roobukaree from the Deputy Magistrates, or Assistants, who are strictly prohibited from making any refunds themselves, or any disbursements, except such as may have been sanctioned by the Magistrate, or the superior authorities.

Refunds.

12. The records of such cases, as may have been finally disposed of, should be forwarded to the Magistrate's Office on the 1st January of each year, arranged in bundles according to the Thannah and the nature of the offence, and accompanied by a clearly arranged catalogue.

Records.

13. Should the Deputy Magistrates, or Assistants, see reason to believe that any one of their Amlah, or any Darogah, Mohurrir, or Jemadar has been guilty of misconduct, or is otherwise incapacitated, so as to render necessary his removal from office, they will report the circumstances through the Magistrate to the Superintendent of Police, and forward the papers of the case, together with their opinion for final orders, suspending such officer on their own responsibility, should such a measure appear advisable.

Dismissal of Police and ministered officers.

When orders of Supdt. of Police should be taken.

14. The dismissal of Burkundazes, Chowkeydars and Goraitis, as also the appointment of Burkundazes and the confirmation of Chowkeydars and Goraitis nominated by the Zemindars, rests entirely with the Deputy Magistrates or Assistants, subject, of course, to an appeal in the case of the former to the Superintendent of Police, and in that of the latter to the Magistrate. The Assistants or Deputies will, however, furnish the Magistrate with a Monthly Statement of Burkundazes, Chowkeydars and Goraitis dismissed by them, specifying in each instance the nature of the offence. Should his offence be such as to render the re-employment of any Burkundaz, improper, the Deputies or Assistants will forward the papers through the Magistrate to the Superintendent of Police, for the necessary orders.

Dismissal of subordinate Police officers.

Statements of such,

15. A similar Statement of Police Officers punished by fine or suspension from office will accompany the above.

And of officers punished.

16. The Deputy Magistrates, or Assistants, will be careful to issue no "Dustoor-ul-ummul," or Circular Orders of a general nature to the Police, without the approval of the Magistrate and the Superintendent of Police.

Circular Orders.

17. On a vacancy occurring in the Ministerial Establishment, or in any of the higher grades of the Police (Thannadar, Mohurrir, or Jemadar) the Deputy Magistrates, or Assistants, will nominate the candidate whom they may think most capable, giving the preference on all occasions to subordinates who may in any way have distinguished themselves. They will then take the deposition of their nominee in open Cutcherry, as to his residence, former employment, with dates, fact of removal from any appointment, with cause thereof, relationship or connection with any residents in the Division, or with any of the Amlah in the District offices. This Statement, the Deputies, or

Appointments of Police and ministerial officers.



Statement to be sent to Supdt. of Police for approval.

Registers and books.

Assistants, will forward with their nomination in the ordinary form, for the approval of the Magistrate and the Superintendent of Police.

18. The Deputies or Assistants will keep in their office at all times ready for the Magistrate's inspection, the following Books and Registers, the headings of which will be furnished to them from the Magistrate's office.

#### ENGLISH AND VERNACULAR.

English and Vernacular.

1 Register of Hajjut and Bail cases pending.

1 Do. of Miscellaneous and Burawurda ditto.

1 Do. of Act IV. of 1840 cases ditto.

Of cases pending.

The Deputies will take care, that the cases are entered in these on the day of their institution, and they will write the decision at the time of its delivery in their own hand.

1 Register of fines.

Of fines.

This they will keep open on their table, and will enter the fines, as they pronounce the order. They will take care that all fines are paid in their own presence, and will enter the receipt at the moment under the proper heading. In forwarding to the station prisoners, who may be sentenced to imprisonment with fine in lieu of labor, or in lieu of an additional term of imprisonment, the Deputies will always send with them an abstract from the fine book, in order that these fines, which will then be payable at the Sudder Station, may be duly entered in the books of the Magistrate's Office.

Of Police officers' conduct.

1 Book of Police Officers' good conduct.

1 Ditto ditto bad ditto.

In these books the Deputies will note every occasion on which a Police Officer may distinguish himself, and every instance in which he may be fined, suspended, or reprimanded.

Daily account current.

1 Book of Daily Receipts and Disbursements.

Must not be in arrears.

This book must never be allowed to fall into arrears and from this will be made out the Weekly Cash Accounts for transmission to the Magistrate.

Of Parties who have eluded justice, or broken jail.

1 Register of parties who have eluded the pursuit of justice.

1 Register of prisoners who have broken jail.

Books to be carefully kept.

These books must be carefully kept and measures should be taken by the Deputies every now and then to ascertain whether the parties have returned to their houses, or to what part of the country they have made their escape. Notice of the escape of these parties must always be given to the Magistrate of the District, in order that the names of the fugitives may be entered in the books of his office.

1 Book of Calendars of Commitment.

#### VERNACULAR.

Vernacular.

1 Copy Book of Purwannas.

1 Ditto of Summons and Dustucks, &c.

1 Register of Petitions.

1 Ditto of Thannah Reports.



1 Copy Book of Roobukarees.

4 Record-keeper's Registers of Cases according to Mr. Robinson's plan.

1 Daily Register of parties in attendance according to the orders of Sudder Nizamut.

1 Register of Subsistence money paid to witnesses by Government.

1 Ditto ditto deposited by parties to suits.

This money the Deputies or Assistants will invariably see paid in their own presence, and will send a detailed Statement of sums paid to each Witness, on account of Government, to the Magistrate monthly, *i. e.* on the 1st of each month, in order that it may be included in the Contingent Bills of the office. Occasional sums of money, not exceeding 100 Rupees at a time, will be sent to the Deputies by the Magistrates, to enable them to make these disbursements, which, however, if the Sudder Court's orders for the prompt disposal of cases are properly acted up to, ought to be of rare occurrence.

Disbursements.

2 Registers of unclaimed and other property.

In these the Deputies or Assistants will include all property, which may be forwarded to their Court, whether stolen, suspicious, unclaimed, or left by persons dying intestate. The latter kind of property will be forwarded weekly through the Magistrate to the Civil Court.

Unclaimed and other property.

1 Register of Chowkeedars.

This Register must be very carefully kept up—the removal of a Chowkeedar and the name of his successor being noted as soon after the order is given, as possible. The Deputies or Assistants will take every opportunity also on visiting their Thannahs, of assembling the Chowkeedars and testing its correctness—weeding the force at the same time of all men, who may appear incapable of the active performance of their duties and ascertaining that the whole have been regularly paid.

Of Chowkeydars.

1 Book of prisoners' rations.

The rations of the prisoners and persons under trial in "Hajjut Tujvecz" will be furnished, whenever practicable, by the Jail Moodee, who will keep an agent at the out-station for this purpose and will receive payment from the Magistrate's Treasury on production of the Deputies' vouchers, specifying the daily number of prisoners in confinement. These vouchers may be in the Vernacular, but the Deputies will super-scribe them in their own handwriting with the number of prisoners and will attach their initials thereto. On the 1st of each month they will forward a list in the Vernacular of prisoners in confinement on each day of the month, for comparison with the vouchers.

Prisoners' rations.

18. At the same time, the Deputies will furnish the Magistrates with a Memorandum in the Vernacular, shewing the number of prisoners in confinement, or in transit on the last day of the preceding month, as also the number of escapes and deaths. These memoranda will be entered by the Magistrates at the foot of their Monthly Statements of prisoners and casualties, forwarded to Government.

Memo. of prisoners.

*Rules for Deputy Magistrates and Assistants in Charge of Subdivisions and Exercising the Powers described in Clause 3, Section II., Regulation III., 1821.*

Reports and petty cases.

Heinous offences.

Minor offences beyond the officers' competence.

19. Officers exercising the above powers at out-stations, will hear and pass orders on all Reports from the Thannah under them. All cases of a heinous nature, such as murder, dacoity, aggravated burglary, or serious affray, must be immediately reported to the Magistrate, but the subordinate officers will at the same time pass such orders as may be necessary, and proceed themselves to the scene of the crime when practicable, for the purpose of carrying on the requisite inquiries, without waiting the Magistrate's instructions. On receiving these latter, they will of course be guided accordingly.

20. The subordinate officers will proceed to take evidence in all cases of felony, or misdemeanor, which though beyond their competence to decide, may be unattended with aggravating circumstances; such as simple theft of property exceeding 50 Rupees in value, simple burglary, and the like. Where the subordinate officers may consider the charges not proved, they will dismiss the parties, with the exception of defendants, whom they will retain on bail, until the receipt of the Magistrate's orders for the discharge of the defendants, or for their transmission to be tried before him. Where the subordinate officers may consider the charges proved, they will at once forward the prisoner, together with the papers, to their superiors. The latter arrangement will also apply to prisoners triable under Act III. of 1844, and who can only be sentenced to suffer corporal punishment by an officer exercising the powers of a Magistrate.

No. 452.

*Orders by the Right Hon'ble the Governor of Bengal.*

NOTIFICATION.

*Fort William, the 12th March, 1845.*

Notification of 12th March, 1845.

The following correspondence is published for the information of the officers in the Judicial Department.

No. 250.

*To G. A. BUSHBY, Esq.*

*Secretary to the Government of India.*

SIR,

*Home Department.*

Views of Govt. in respect to employment of Assistants, and Deputy Magistrates.

I am directed by the Governor of Bengal to acknowledge the receipt of your letter No. 52, of the 18th ultimo, giving cover to a copy of the despatch dated 21st August. 1844, from the Hon'ble the Court of Directors, on the subject of reforming the Mofussil Police, as recommended by the Police Committee in 1838.

2nd. The suggestions of the Committee to which the Court give their assent, and which they desire to see immediately adopted and acted upon, are :—

*First.*—That the actual condition of the village Chowkeydaree Police should be investigated and their efficiency secured by a judicious application of the means successfully employed by Mr. Bayley, when Magistrate of Burdwan, as reported in his letter of the 12th December, 1811.

*Second.*—That the salaries of the Darogahs be raised to 50, 75 and 100 Rupees per mensem; and that measures be taken to protect them against ill treatment and from capricious punishment and removal.

*Third.*—That the proceedings of Magistrates and of the Police be simplified and abbreviated.

*Fourth.*—That the Deputy Magistrates and also the junior covenanted Civil Servants be placed in charge of convenient circles of Police, and located for that purpose in the Mofussil in the centre of their respective jurisdictions.

3rd. In order to secure as far as possible the first of these objects, the instructions of the Hon'ble Court as well as the letter of Mr. Bayley, of 1811, and the other papers referred to in the present dispatch, will be transmitted to the Superintendent of Police, who will be directed to call upon the Magistrates, or such of them as he may judge best fitted to undertake the duty, to enquire into and ascertain the condition of the Chowkeydars in their respective Zillahs, to use their best endeavours to improve their efficiency and organization, and to report at the conclusion of a year or at the close of 1845, the results of their proceedings.

4th. With regard to the second recommendation, too early occasion cannot, in the Governor's opinion, be taken to assign to the Darogahs of Police, salaries more suited to their position and duties than the very inadequate wages now allowed to them. His excellency would therefore earnestly solicit the permission of the Supreme Government to the immediate raising of these salaries to Rs. 50, Rs. 75 and Rs. 100 per mensem, in the proportion recommended by the Committee and approved by the Hon'ble Court.

5th. As the report of that Committee only referred to the Regulation Districts, whilst the partial introduction of this more liberal system under the orders of 31st May, 1843, has been extended to the Non-Regulation Provinces, the increase of charge on this account will not be Rs. 1,91,400 per annum, as computed by the Committee, but Rupees 2,13,871-9, or in round numbers, Rs. 1,40,000 more than the cost of the establishment of Darogahs, already sanctioned under the orders referred to above.

6th. The wishes of the Hon'ble Court in regard to the better treatment of Police Officers have in a great measure been anticipated by an order prohibiting the dismissal of Darogahs of the higher grades, without previous reference to Government in each case. As respects subordinate Police men, it is part of the Superintendent's duty to give redress to such amongst them, as have been harshly or unjustly dealt with. A copy however of the Hon'ble Court's observations on the subject will be transmitted to the Superintendent, with directions to inculcate their purport strongly upon the Magistrates.

7th. The simplification of Police and Magisterial proceedings has also been partially accomplished, as will be observed on reference to the papers\* noted in the margin. But much remains to be done, and the Governor is strongly disposed to think that the present system of allowing appeals in nearly all cases must be greatly modified, if not altogether changed. On this point however, his excellency will further communicate his views after consulting with the Sudder Court, the Superintendent of Police and the Magistrates.

8th. The Governor is fully prepared to act upon the suggestions of the Hon'ble Court in regard to the deputation into the interior of their Districts of such of the Deputy Magistrates as are by this time fit for increased responsibility, and such of the junior covenanted officers as can be spared from Revenue duties or from other occupations in the Sudder Stations.

9th. Of the latter officers his excellency would be able to employ in this manner not fewer than ten, and probably six of the former, perhaps in all sixteen to twenty officers might be

\* Pro. 29th May 1843, Nos. 9 to 12.



deputed into the interior in the manner suggested by the Hon'ble Court: and as the measure would in his excellency's opinion, be most beneficial, and is indeed essential to an improvement of the Police and Criminal administration, which now suffers greatly from the over-weening extent of such Magistrate's jurisdiction, I am directed to state that no time will be lost in carrying it into execution to as large an extent as practicable.

10th. But it will, his excellency bids me observe, be necessary to increase the number of these officers; and while the success which has attended their employment, so far as the experiment has yet been made, is quite sufficient to warrant its extension, the further improvement of the Police in the manner now proposed, renders it indispensable that a larger number of Deputies than the present complement should be at the disposal of the local Government.

11th. The number of Thannahs in the Regulation Provinces is stated at 444 in 32 Districts. When the new system is complete, his excellency would look to having four or five Thannahs under each assistant or Deputy Magistrate, the Zillah Magistrate having also especial charge of about the same number in the vicinity of the Sudder Station. Taking the number of Covenanted Assistants who could be employed in this manner at ten, and this will probably be found to exceed rather than fall short of the truth, this will require full fifty Deputy Magistrates to complete the plan or four times the number yet appointed. This number will of course be only *gradually* made up, and for the present his excellency would solicit sanction to the appointment of an additional number not exceeding twelve, not however to be at once appointed, but by degrees, as each one of the present Deputies, having learned his business at the Sudder Station, may be deputed into the Mofussil.

12th. This, as already stated, will not for the present extend to more than six, but as the remaining six are fitted for increased responsibility, and sent into the interior, his excellency would desire to be able to supply their places at the Sudder Stations without loss of time, so that the candidates may there, like their predecessors, acquire the elements of their business, and afterwards be sent like them into the Mofussil, when they may be found sufficiently qualified. So long as these officers are detained on probation at the Sudder Station, his excellency would propose, in preference to the present system of putting them at once on the salary of 400 Rs. a month, that they should be restricted to 200 Rs. a month, and only allowed 400\* when deputed into the interior.

\* Since reduced to 350 by order of the Court of Directors.

13th. Looking at the disadvantages of climate and position, which will often, or generally attend these deputations, his excellency would propose, after carefully ascertaining fit locations, to build at each, a commodious residence, suited for the dwelling of the Deputy or Assistant, and affording space also for his office, and for the accommodation of the Zillah Magistrate on his circuits. For it need scarcely be said that a frequent visit of inspection by the Zillah Magistrate must form an important part of the new system.

14th. The cost of these buildings, of which the Governor would propose to erect at present, sixteen will not probably be less than 2,000 Rs. each: but this expence seems to his excellency to be absolutely necessary under the circumstances of the case.

15th. It will also be necessary to allow a small establishment to each officer deputed into the interior upon the scale noted in the margin,\* and for this also I am directed to solicit the sanction of the Supreme Government.

|                                    |        |
|------------------------------------|--------|
| * Meer Moonshee per mensem, ... .. | Rs. 50 |
| Mohurrir, ... ..                   | 15     |
| 2nd Mohurrir, ... ..               | 10     |
| Two Chuprassies, ... ..            | 8      |
| Stationery, &c. ... ..             | 7      |
| Total, ... ..                      | Rs. 90 |

I have, &c.

(Signed) F. J. HALLIDAY.

Fort William, the 5th February, 1815.

Secretary to the Government of Bengal.



No. 123.

*From G. A. BUSHBY, Esq.**Secretary to the Government of India.**To F. J. HALLIDAY, Esq.**Secretary to the Government of Bengal.**Dated the 15th February, 1845.*

SIR,

Home Department.

Judicial.

I am directed to acknowledge the receipt of your letter No. 250, dated the 5th instant, and to acquaint you that the Governor General in Council, having fully considered the propositions therein contained, is pleased to authorize the salaries of the Darogahs of Police in the Bengal Division of the Presidency of Fort William, to be raised to 50, 75 and 100 Rs. a month, in the proportion of 50 Darogahs to 100 Rupees per mensem, 100 Darogahs to Rs. 75 per mensem and the remainder to Rupees 50 in the Non-Regulation Provinces as well as in the Regulation Districts, by which the annual increase of charge on this account will be Rupees 2,13,871-9-0, or in round numbers Rupees 1,40,000 more than the sum computed by the Police Committee in 1838, (Rs. 1,91,400.) The Governor General in Council desires to have an abstract of the distribution of this increase, shewing the total number of Darogahs in 1838, and the expence, with the total number in classes and salaries under the new organization.

2nd. The Governor General in Council, for the reasons urged, is further pleased to sanction the number of Deputy Magistrates under Act XV. of 1843, to be increased by the gradual appointment to that office of the most eligible candidates, to the extent of twelve, as the present Deputy Magistrates are found fully qualified for their duties, and deputed into the interior of Districts. The new appointments will, as proposed, be made at Rs. 200 a month, while the officer is acquiring a knowledge of his business at the Sudder Station, to be raised to Rupees 400\* when deputed into the interior.

\* Since reduced to 350 Rs. by the Court of Directors.

3rd. The establishment recommended for each Junior Covenanted Assistant and Deputy

|                                |        |                                                  |
|--------------------------------|--------|--------------------------------------------------|
| † Meer Moonshee per month, ... | Rs. 50 | Magistrate exercising his functions in the Mo-   |
| Mohurrir, ...                  | 15     | fussil, appears proper, and is sanctioned as per |
| 2nd Mohurrir, ...              | 10     | scale on the margin,† at a monthly charge of     |
| Two Chupprassies, ...          | 8      | Rupees 90. The Governor General in Coun-         |
| Stationery, &c. ...            | 7      |                                                  |
| Total, ...                     | Rs. 90 | cil also approves of the intention of the Right  |

Hon'ble the Governor of Bengal to authorize 16 suitable buildings to be erected in fit localities for the accommodation of the Junior Covenanted Assistants in charge of Thannahs, and the Deputy Magistrates and their offices, and also for the reception of the Magistrate on his tours of inspection, at a cost not exceeding Rs. 2,000 each.

I have, &amp;c.

*Council Chamber, the 15th February, 1845. (Signed) G. A. BUSHBY,*  
*Secretary to the Government of India.*

*By order of the Right Hon'ble the Governor of Bengal,*  
 (Signed) F. J. HALLIDAY,  
*Secretary to the Government of Bengal.*

Native Doctors. *Rules for the grant of Leave of Absence to Native Doctors attached to Civil Stations passed by Government on the 16th December, 1852 (Nos. 29 to 34.)*

Magt. can give leave for 6 months on private affairs.

Every Magistrate is empowered, on the recommendation of the Civil Surgeon, and without reference to Government, to grant leave of absence to any Native Doctor attached to a Station or Sub-Division subordinate to him, for any period not exceeding six months, on private affairs, and not exceeding one year, on account of sickness duly certified.

One year on Medl. Cert.

Application for leave how to be made.

2. Application for leave of absence is to be made by the Native Doctor to the Civil Surgeon of the District, who, if he think proper, may refuse the application. If, on the other hand, the Civil Surgeon is of opinion that the leave, or any part of it, should be granted, he will forward it to the Magistrate of the District, enclosed in a letter from himself, stating the cause of the application and the grounds of his recommendation. The Magistrate may refuse to give leave on private affairs if it cannot be granted without public inconvenience. Leave granted by a Magistrate under this rule is to be reported to the Superintending Surgeon of the Division.

Deduction of salary during leave.

3. A Native Doctor absent from his Station on leave, from whatever cause, shall suffer, during the period of his absence, a deduction of so much of his salary, not being less than one-half, as may be requisite to procure the services of an efficient substitute.

Locum tenens.

4. If the absence of a Native Doctor require that provision should be made for the discharge of his duty during his absence, or if a vacancy occur in any other way, the Magistrate will apply to the Superintending Surgeon for the appointment of a person to fill the situation either temporarily or permanently as the case may be, and the Superintending Surgeon, or, if necessary, the Medical Board, is hereby authorized to comply with such application.

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*Notification dated 17th February, 1854.*

The following rule, on the subject of allowances to Native Doctors is published for general information.

Travelling allowance to Native Doctors.

\* C. O. No. LX.  
+ C. O. No. CLXXI.

The orders of Government dated respectively the 29th August, 1839,\* and 30th July, 1845,† under which ministerial officers are entitled to travelling allowance when on duty in the interior of their Districts, and when required to accompany their superiors by Dawk, are extended to Native Doctors in civil employ.

Trunk Road Police Rules.

*Rules for the Control, Management and Conduct of the Road Police on the Grand Trunk Road.*

Control.

1. The Magistrates, Assistants and Deputy Magistrates, through whose jurisdictions the Grand Trunk Road passes, have the supervision and control of the Road Police within the limits of their respective jurisdictions.

Visits to the Road Police Posts by Magts. and their Deputies.

2. The Deputy Magistrates and Assistants in Sub-divisions on the road are required to visit the Road Police posts at least twice in every month, especially during the period between the 15th of October and the 20th of June. The Magistrates of Districts, if unable from other business to visit the road, will depute their Assistants or other competent Officers for that purpose.

3. The Magistrates, Assistants and Deputy Magistrates will take care that their subordinates prevent all obstruction on the road, by the stopping of carts, trucks or carriages. At the halting places, and elsewhere, carts and other carriages stopping are to be carefully drawn to one side of the road, and the centre kept sufficiently free to admit of two carriages at least passing abreast.

Removal of obstructions.

4. Each Station Jemadar has the immediate charge and control of the Sowars, Burkundazes and Chowkeydars within his beat.

Control of subordinates in each beat.

5. The Burkundaz at each, Murhella shall require and cause the two Chowkeydars under him to patrol the road before day-break East and West until they meet the Chowkeydars of the adjacent Murhella, and then return to their post, reporting what they may have seen, or what has occurred. This patrol will be repeated during the day, again in the evening after sunset, and during the night. The Magistrates, Assistants and Deputy Magistrates will regulate the hours for patrol according to the season of the year. Nothing in this Rule, however, shall be considered to diminish the responsibility of the Police in respect of any occurrence taking place at any time whatever.

Patrolling the road.

6. The Sowars will patrol East and West of the Station House to the limits of their jurisdiction. They will see that the Burkundazes and Chowkeydars are at their posts, and have performed, or are performing their patrol; and they will report all circumstances to the Jemadar on their return.

Sowars to patrol.

7. The Jemadar himself will frequently visit the different posts under his charge, and he will be held responsible if he fails to ascertain and report any neglect or misconduct on the part of his subordinates.

Jemadar's duties and responsibilities.

8. In case of the death by sickness or otherwise in any Chnttee, or on the road, of any traveller who may have no companions to take charge of his property, the Burkundaz of the nearest Murhella shall transmit the same at once to the Jemadar, who will forward it with a report of the circumstances to his superior.

Property of travellers deceased.

9. In the case of any suspicious death, or of any corpse being found on the road, the body shall be, if possible, sent to the head-quarters of the Station or sub-division for Medical examination. The Jemadar is to proceed to the spot and send notice to the Jemadars East and West, with a description of the person; and the Police shall use every endeavour to ascertain by whom the deceased was last seen, and in what company.

Suspicious death.

10. On the occurrence of any highway-robbery or dacoity on the road, the Burkundaz of the Murhella shall immediately despatch one Chowkeydar with intelligence to the nearest Police station, and the other to the next Murhella, whence the intelligence shall be conveyed from Murhella to Murhella until it reaches the Road Jemadar. The latter will proceed to the spot, and endeavour to procure a clue to the offenders, but on the arrival of the Thannah Police, he will make over the inquiry to them, together with whatever information he may have obtained.

Dacoity or highway robbery.

11. On the occurrence of any crimes on the road, especially when travellers are concerned, the Deputy Magistrates and Assistants will enter upon the case directly, so that the parties may suffer no unnecessary detention. If the case be within their

Crimes to be investigated at once.



competency, they will decide it at once; and if it be necessary to send the case to a higher tribunal, they will be most careful that only those persons whose evidence is absolutely required are detained from proceeding on their journey.

Night travellers to be cautioned.

12. The Jemadars, Burkundazes and Chowkeydars will caution travellers, and others moving by night with Merchandize and Goods, of the risk which they incur; but they are strictly prohibited from compelling travellers to stop at any particular place, and they will afford protection to such as may stay in their vicinity.

Police to be warned of certain travellers, and to be on the alert with respect to them.

13. The Magistrates, Assistants and Deputy Magistrates will warn all the road Police to be on the alert regarding the passing of bodies of up-country men along the road, either in numbers or following each other, without much baggage or with only a lotah and clothes; and notice of such is to be forthwith sent to the Assistant or Deputy Magistrate, who will take measures to stop and examine them. Immediately on the occurrence of a dacoity or robbery by a body of up-country men, notice will be sent by dâk to all the Magistrates of districts and Deputy Magistrates on the road to the West of the place where the offence was committed, so that means may be taken by them to watch the bye-roads and the fords on the river Soane leading to Shahabad, and thus the offenders be stopped on their return.\*

Travellers to be warned against associating with strangers.

14. The Magistrates, Assistants and Deputy Magistrates will take every opportunity of warning travellers against allowing strangers to attach themselves to their party, and to avoid eating, drinking, or smoking anything from the hands of persons with whom they have been previously unacquainted. Should the Jemadars observe any persons constantly going up and down the road and attaching themselves to parties, they will communicate the circumstance to their superiors, who will make such inquiries and pass such orders as may be requisite.

Cases of emergency.

15. In cases of emergency, the Jemadars may despatch a Sowar to carry information to the next Station, whence another Sowar shall proceed with the same to his superior; but, as a general rule, the Sowars, Burkundazes and Chowkeydars will be kept to their duties of patrol, protection of lives and property, and prevention of crime on the road.

\* The mode of proceeding adopted by the Shahabad and Behar dacoits is as follows:—They set out from their villages to place of *rendezvous*, and then go singly, or in small parties, down the road, generally with only lotahs, clothes and a small sum of money amongst them. They supply themselves with lattees which are sold on the road-side, and they either send out spies to see what carts are coming, or they have informants at some of the Chuttees. They commit their dacoities early in the evening, if they have opportunity, and immediately after, make off with their plunder to the bed of some river or Nullah in the jungles, in which they bury their booty, easing themselves round and near the spot, so as to prevent persons approaching it. Part of the gang then returns, or may go on to commit another robbery. Those with the booty, after staying near the place for a day, remove it, and proceed by bye-roads through the jungles to their homes, halting during the day on the banks of a stream, in the sands of which they conceal the property. If, therefore, timely notice of a robbery is sent to the authorities and districts Westward of the place of occurrence, there will always be some chance of recovering the property and securing part of the gang. The Shahabad dacoits have not been known to come on the road lower than Gulsee Chuttee.



16. Should any of the Jemadars, Sowars or others of the Road Police require temporary leave of absence, from sickness or on private affairs, they may be allowed to place their own nominees as substitutes whilst they are absent; provided that their superior sees no objection, and that such nominee is personally capable of performing the duties. Leave.

17. All promotions shall be given as much as possible in the force, so as to give encouragement to the subordinate officers to evince activity, vigilance and efficiency in the performance of their duties. Promotions.

18. Every man in the force may be transferred from one Station to another at the discretion of the Authorities. Change of station.

19. For the apprehension of parties who have committed offences on or near the road, or for any other Police business relating to the road or its neighbourhood, the Road Police have concurrent authority with the Police of the districts on either side. Concurrent authority with District Police.

The following list of Thannahs through which the Grand Trunk Road passes in Bengal and Behar, with the terminal points of each Magisterial jurisdiction along the same, is published for general information : Thannahs.

*Hooghly.*

South-eastern terminal point, Ghyretty Ghaut; North-western terminal point, the Village of Berragorrec.

This portion of the road passes through Thannahs Singhoor, Hooghly, Bansbariah, Benipore and Pandooah, and is within the jurisdiction of the Magistrate at Hooghly.

*Burdwan.*

South-eastern terminal point, Chotekund; North-western terminal point, Fagoopore, near the 78th Mile stone.

This portion of the road passes through the Thannahs of Sulleemabad, Gangooreah and Burdwan, and is within the jurisdiction of the Magistrate of Burdwan.

*Bood-Bood.*

South-eastern terminal point, Fagoopore; North-western terminal point, Katpookur, near to the 109th Milestone, not far from the Kairasole Bungalow.

This portion of the road passes through the Thannahs of Potenah and Seinpaharee, and is within the jurisdiction of the Deputy Magistrate stationed at Bood-Bood.

*Munglepore.*

South-eastern terminal point, Kairasole; North-western terminal point, Churkoonda drain bridge, about 180 yards West of the Churkoonda Murhella.

This portion of the road passes through the Thannahs of Ookera, Bogra and Neamutpore, and is within the jurisdiction of the Assistant stationed at Badasole, on a hill, a short distance off the road, about a mile Eastward of the Bukhtyanuggur Bungalow, and near the Singara Suspension bridge.

*Govindpore.*

South-eastern terminal point, Churkoonda drain bridge; North-western terminal point, Umulkooree, about four miles beyond the Topchancee Bungalow.

A mark will be put up to define this boundary. This portion of the road passes through the Thannahs of Pandra and Rajahpectah, and is within the jurisdiction of the Deputy Magistrate of Govindpore, whose residence is at Baghsomia, immediately adjacent to the road.

*Burhee.*

South-eastern terminal point, Mudhoopore; North-western terminal limit, the bridge over the small river Gowcaree, about a mile to the West of the Dhunwa Bungalow.

This portion of the road passes through the Thannahs of Bagodbur and Burhee, and is within the jurisdiction of the Deputy Magistrate stationed at Burhee.

*Shergotty.*

South-eastern terminal limit, the River Gowcaree; North-western terminal limit, the River Soane.

This portion of the road passes through the Thannahs of Shergotty and Aurungabad, and is within the jurisdiction of the Deputy Magistrate stationed at Shergotty.

*Sasseeram.*

South-eastern terminal limit, the Soane; North-western terminal limit, the River Karumnassa.

This portion of the road passes through the Thannahs of Sasseeram, Bhubbhoa and Sawunt, and is within the jurisdiction of the Deputy Magistrate stationed at Sasseeram.

The Murhellas and Station Houses of the Road Police will be white-washed, and over each will be painted in large letters, both in the English and Native languages, its number and the name of the Magisterial jurisdiction to which it belongs.

The Chowkeydars, Burkundazes and Sowars of the Road Police, will wear red Turbans and Kummrbunds, with Badges indicating their number and rank on red cross belts edged with green. The Jemadars will have a red stripe on the right arm.

*Notification 3rd March, 1854.*

Juggernath Road  
Police Rules.  
Supervision and  
control.

*Rules for the Control, Management and Conduct of the Police on the Juggernath Road.*

1. The Magistrates and Deputy Magistrates, through whose jurisdictions the road passes, have the general supervision and control of the Road Police within the limits of their respective jurisdictions; the immediate control of the Jemadars, Burkundazes, Chowkeydars, (or Pykes,) being vested in the Thannah Darogahs.

Visits to Road Police Posts by Magt. and his Deputies.

2. The Magistrate and Deputy Magistrates are required to make arrangements for having occasional visits paid to the Road Police Posts by themselves or their Assistants, or other competent officers. These visits should be arranged so as to take the Police unawares, and effectually test their vigilance. The Thannah Darogahs are required to visit the Road Police Posts at least twice in every month, and to report the result to the Magistrate.

Control of the subordinates in each beat.

3. Each Jemadar has the immediate control of the Burkundazes, Chowkeydars (or Pykes) within his beat.

4. The Head Quarters of each Jemadar will be at the central station of his beat, and he is required to visit every station within his control at least once in every 2 days, and to see that the Burkundazes, Chowkeydars, &c., are on the alert. The Jemadars will keep a diary of their proceedings. •

Duties of Jemadars.

5. Two men from each station (whether Burkundazes or Chowkeydars,) will patrol the road in opposite directions, every morning and evening, until they meet the patrol of the adjacent station; when they will return to their Post, reporting what they may have seen, or what has occurred. The hours for patrol will be regulated by the Magistrates according to the season of the year, and a Diary will be kept at each station, in which will be entered the names of the patrolling officers, the hour of their departure from and return to the station, and their report of what has occurred.

Patrol of the road.

6. It is the duty of the Road Jemadars to watch the movements of suspicious characters, to take notice of all complaints of robbery, theft and violence occurring along the line of road within their respective beats, and to apprehend persons charged with the commission of such offences, giving immediate notice to the Thannah Darogahs.

Suspicious characters to be watched.

7. In case of the death from natural causes of any traveller who may have no companions to take charge of his property, the Burkundaz of the station nearest to the spot shall transmit the property without delay to the Jemadar of the beat, who will forward it with a report of the circumstances to the Thannah Darogah. The Jemadar will enter all such property in a book to be kept for the purpose.

Property of travellers deceased.

8. In the case of any suspicious death, or of any corpse being found on the road with marks of violence on it, the body shall, if possible, be sent to the Head Quarters of the District or Sub-Division for medical examination. The Jemadar is to proceed to the spot, and send notice to the Jemadars on each side with a description of the person of the deceased, and the Police shall use every endeavour to ascertain by whom he was last seen and in what company.

Suspicious death.

9. On the occurrence of highway robbery, dacoity, or other heinous crime on the Road, the Burkundaz of the station shall immediately despatch one Chowkeydar with intelligence to the Thannah and another to the next station, whence the intelligence shall be conveyed from station to station, until it reaches the Road Jemadar. The latter will at once proceed to the spot and endeavour to procure a clue to the offenders, but on the arrival of the Thannah Police, he will make over the inquiry to them, together with whatever information he may have obtained.

Dacoity or highway robbery.

10. On the occurrence of any crimes on the road, especially where travellers are concerned, the Magistrates and Deputy Magistrates will enter upon the case directly, so that the parties may suffer no unnecessary detention.

Crimes to be investigated at once.

11. It is the duty of the Road Police to prevent all obstruction to the road by the stopping of Carts, or otherwise. At the halting places, or elsewhere, Carts and other Carriages stopping are to be carefully drawn to one side of the road, and the centre kept sufficiently free to admit of two Carriages passing abreast.

Obstructions on the road to be removed.

12. The Jemadars, Burkundazes, and Chowkeydars are strictly required to afford protection to all travellers who may stop in their vicinity.

Protection of travellers.

13. In cases of emergency, the Jemadars may despatch a Burkundaz or Chow-

Cases of emergency.

keydar to carry information to the next station, but as a general rule, the Burkundazes and Chowkeydars will be kept to their duties of patrol, protection of lives and property, and prevention of crime on the road.

Leave. 14. Should any of the Jemadars or Burkundazes of the Road Police require temporary leave of absence (not exceeding a month) on account of sickness, or urgent private affairs, they may be allowed to place their own nominees as substitutes whilst they are absent, provided that their superior sees no objection, and that such nominee is personally capable of performing the duties. If leave of absence for a longer period than one month is required, the nomination will rest with the Magistrate.

Promotion. 15. All promotions shall be given as much as possible in the force, so as to give encouragement to the subordinate officers to evince activity, vigilance and efficiency in the performance of their duties.

Change of station. 16. Every man in the force may be transferred from one station to another at the discretion of the Magistrate.

Concurrent authority with District Police. 17. For the apprehension of parties who have committed offences on or near the road, or for any other Police business relating to the road or its neighbourhood, the Road Police have concurrent authority with the Police of the Districts on either side.

### Notification.

Thannahs. The following list of Thannahs through which the Juggurnath road passes in the Province of Cuttack, with the terminal points of each Magisterial and Thannah jurisdiction along the same, is published for general information:—

#### Zillah Balasore.

Thannah Rajghaut. Northern terminal point the River Soobunreeka, Southern terminal point Mouzah Naeckoorec.

Thannah Bustah. Northern terminal point Mouzah Bramoondah, adjoining Naeckoorec, Southern terminal point Mouzah Hateemoondah.

Thannah Balasore. Northern terminal point Bindha bridge, adjoining Mouzah Hateemoondah, Southern terminal point Khuntaparah.

Thannah Soroh. Northern terminal point Khuntaparah, Southern Do. centre of Kansbans bridge.

Thannah Bhuddruck. Northern terminal point centre of Kansbans bridge, Southern terminal point the River Byturnee.

#### Zillah Cuttack.

Thannah Jajpore. North terminal point the Byturnee River, South terminal point the Bramoonee River, near Durrumsalla.

Thannah Eruckpore. Northern terminal point Durrumsallah, Southern terminal point is Bundaloo.

Thannah Cuttack. Northern terminal point Bundaloo, South terminal point Bundwarrah, near Balwanta.



*Zillah Pooree.*

Thannah Piplee. North terminal point Bundwarrah, near Bulwanta, South terminal point Kungea.

Thannah Pooree. North terminal point Kungea, South terminal point Town of Pooree.

*Notification.*

The undermentioned orders of the Hon'ble the Court of Directors, dated 20th September 1848, para. 11th, is published for the information and guidance of the officers belonging to all the branches of the Civil Department, and to which strict attention is requested.

Rule for drawing allowances for office Establishments.

*Extract from a Despatch from the Hon'ble the Court of Directors, addressed to the Government of India, in the Financial Department, dated the 20th September, 1848. No. 38.*

Para. 11., The practice of drawing the gross amount allowed for Office Establish-

*Letter from, dated the 18th March, 1848. No. 11 A.*

41. The Government of Fort Saint George have been informed in regard to vacancies in Office Establishments, that while in some few cases the gross amount has been drawn and the savings by vacancies credited in account, the general practice has been to draw only the net amount.

ments notwithstanding that certain situations may be vacant in them, is a very improper one, and must be immediately abandoned in

every case in which it is adopted.—(*Calcutta Gazette* 10th January, 1849, page 27.)

*Rules for the Management of Charitable Dispensaries, published in the Gazette of the 5th October, 1853.*

Rules for Charity Dispensaries.

In all cases in which the aid of Government is granted in support of any Charitable Dispensary, the following Rules are declared to be in force:

1. The Collector, Magistrate and Civil Surgeon of the district shall be *ex-officio* Members of the Local Committee of Management.

2. The Government may appoint any other person, whether a public servant or a subscriber to the Dispensary, to be a Member of the Committee.

3. The Commissioner of the division shall be *ex-officio* a Member of the Committee, and shall preside at any Meeting at which he may be present. He shall have a casting vote, in addition to his own vote, if present, and a casting vote if absent, when opinions are equally divided.

4. All correspondence between the Government and the Local Committee shall be conducted through the medium of the Commissioner.

5. Each Committee shall submit to Government, through the Commissioner, half-yearly returns (made up to June 30th and December 31st in each year) of the number of patients treated, and of all receipts and disbursements, in the accompanying forms. These returns are exclusive of the professional reports submitted to the Medical Board.

6. Each Committee shall appoint its own Secretary, whose duty it is to see that proper returns and accounts are kept.

7. Each Committee shall keep a book in which are to be entered Minutes of all its proceedings and resolutions. The proceedings of each Meeting shall be attested by the Members present.

8. In all matters of a strictly professional description, the Committee shall be guided by such instructions as they may receive from the Superintending Surgeon of the Division.

*Half-yearly Return of Patients treated in the ——— Charitable Dispensary ———  
from the ——— to the ———.*

|                         | Remaining on the | Admitted. | Total. | Cured. | Relieved. | Incurable. | Died. | Result not known. | Remaining under treatment. | REMARKS. |
|-------------------------|------------------|-----------|--------|--------|-----------|------------|-------|-------------------|----------------------------|----------|
| In-door Patients, ....  |                  |           |        |        |           |            |       |                   |                            |          |
| Out-door Patients, .... |                  |           |        |        |           |            |       |                   |                            |          |
| Total, ....             |                  |           |        |        |           |            |       |                   |                            |          |

*Half-yearly Cash Account of the ——— Charitable Dispensary from the ——— to the ———.*  
Dr. Cr.

|                                                                                                              |  |  |  |  |  |                                                                                    |  |  |  |  |  |
|--------------------------------------------------------------------------------------------------------------|--|--|--|--|--|------------------------------------------------------------------------------------|--|--|--|--|--|
| To balance in hand on the                                                                                    |  |  |  |  |  | By amount pay of establishment from                                                |  |  |  |  |  |
| „ Subscriptions collected from ——— to ———                                                                    |  |  |  |  |  | „ Amount paid for ——— supplied to the In-patients @                                |  |  |  |  |  |
| „ Government donation drawn from the month of ——— up to ——— @ ——— Rs. per mensem under orders dated the ———. |  |  |  |  |  | „ Do. for half-yearly supply of clothes to the In-patients in last ———.            |  |  |  |  |  |
| „ Interest upon Government Promissory Notes drawn in ——— &c.                                                 |  |  |  |  |  | „ Do. Do. paid to 2 extra native doctors employed in cholera stations in the city. |  |  |  |  |  |
|                                                                                                              |  |  |  |  |  | Balance in hand,                                                                   |  |  |  |  |  |
| Total, Co.'s Rs. ...                                                                                         |  |  |  |  |  | Total, Co.'s Rs. ...                                                               |  |  |  |  |  |

Travelling allowance to Jail Burkundauzes.

Read a letter No. 131 of the 21st April last, from the Officiating Magistrate of Bancoorah enquiring whether Jail Burkundauzes when sent from their own to other districts in charge of prisoners are entitled to travelling allowance.

Read also a letter No. 2289 dated the 11th ultimo, from the Secretary to the Government of the North West Provinces stating in reply to a communication from this Government, that Jail Burkundauzes in the North West Provinces receive travelling

allowance at the rate of 3-10ths of their salary when marching in districts other than their own, in charge of prisoners.

**RESOLUTION.** The Most Noble the Governor of Bengal being of opinion that Jail Burkundauzes when marching in charge of prisoners at a distance from their own district are fairly entitled to travelling allowance, His Lordship is therefore pleased to determine that a rule similar to that which obtains in the North West Provinces shall be adopted in the Lower Provinces, in the Regulation and Extra Regulation Districts, and that in future, Jail Burkundauzes when sent in charge of prisoners to districts other than that in which they are employed, shall receive travelling allowance at the rate of 3-10ths of their salary.

**ORDERED.** That this Resolution be communicated to all Magistrates and other officers in charge of Jails, and to the Civil Auditor for their information and guidance.

**ORDERED ALSO.** That this resolution be published in the Bengali Gazette.

*G. O. (Bengal) dated, 1th July, 1853.*

*List shewing the Thannahs in each District under the several Divisions of the Bengal Presidency.*

 Those Thannahs which are marked with an asterisk are attached to a Sub-Division.

**PATNA DIVISION.**

**PATNA DISTRICT.**

Bankipore.  
Western Court Ghust.  
Futtoah.  
Eastern Court Ghust.  
Peerbuhur.  
Sooltangunge.  
Allungunge.  
Mongulpore.  
Dewanmahalla.  
Khaighkullan.  
Chowkeekulla.  
Lodekatta.  
Chowk Shekarpore.  
Doulparah.  
Malslamee.  
Bhaug Jaffer Khan.  
Nowlutpore.  
Sherepore.  
Buckram.  
Barh.\*  
Hilsa.  
Attasarce.

**BEHAR DISTRICT.**

Gyah.  
Noadah.\*  
Jehanabad.  
Behar.\*  
Urwal.  
Dawoodnugar.  
Ourangabad.\*  
Nobiunnugar.\*  
Shergotty.\*

**SHAHABAD DISTRICT.**

Balatce.  
Arah.  
Sasseeram.\*  
Doomraon.  
Chowuoah.  
Ekwaree.  
Dhungueen.  
Burraon.\*  
Bhabhoah.\*  
Sawat.\*  
Ramghur.

## SARUN DISTRICT.

Chupra.  
 Beturdah.\*  
 Sewan.\*  
 Cusmur.  
 Pursa.  
 Tajpore.  
 Futtchpore.  
 Hossepore.\*  
 Derawlee.\*  
 Manjhee.  
 Goldingunge.

## CHAMPARUN DISTRICT.

Govindpore.  
 Bettai.  
 Motecharee.  
 Bunjurreah.  
 Mussowrah.  
 Dacca.  
 Kullianpore.  
 Bogah.

## BHAUGULPORE DIVISION.

## BHIAUGULPORE DISTRICT.

Foodkeepore.\*  
 Cutwallee.  
 Colgong.  
 Packee Surrye.  
 Umerpore.  
 Hazarpoorah.  
 Kumurgunge.  
 Bowsee.  
 Luckee Dewanny.\*  
 Pointee.  
 Lokemanpore.  
 Soopolc.\*  
 Mudchpeorah.\*  
 Boodhowah.\*  
 Degha.  
 Kurhurrea.  
 Doonika.  
 Rajmehal.\*

} Hill thannahs.

## MONGHYR DISTRICT.

Monghyr.  
 Begooosoorah.  
 Chuckaree, or Chuckye.\*  
 Gogree.  
 Soorajgurh.  
 Mulleepore.  
 Tarrapore.  
 Tegrah.  
 Sheikhparah.  
 Durriapore.\*

## TIRHOOT DISTRICT.

Mozaferpore.  
 Hazeepore.  
 Mahooah.  
 Lallgunge.  
 Bhowardah.\*  
 Reegah.  
 Kurnoah.  
 Dulsingurreah.  
 Jallah.  
 Dhurbagah.  
 Buhceerah.\*  
 Nagerbasee.\*  
 Cuttra.  
 Khajowly.  
 Mudypore.\*

## PURNEAH DISTRICT.

Sudder Thannah.  
 Nathpore.\*  
 Dhundah.\*  
 Motecharee.  
 Bahadoorgunge.\*  
 Kalceagunge.\*  
 Arrarceah.  
 Doolallgunge.\*  
 Nehnuggur.  
 Gondwarrah.  
 Dundkhorah.  
 Monecharee.  
 Kurba.  
 Kissengunge.\*



**RAJESHAHYE DIVISION.****RAJESHAHYE DISTRICT.**

Bhowannygunge.  
 Bauleah  
 Nattore.\*  
 Chowgong.\*  
 Doobulchutty.  
 Mandah.  
 Tannore.  
 Godagaree.  
 Belmarah.\*

**PUBNAH DISTRICT.**

Coasteeah.  
 Pubnah.  
 Shazadpore.\*  
 Mathoora.  
 Khettooparah.  
 Pungah.  
 Dhurmpore.  
 Cocksah.  
 Hurryal.

**RUNGPORE DISTRICT.**

Bogdooar.  
 Rungpore.  
 Nisbetgunge.  
 Woolypore.  
 Sadooliapore.  
 Burrobarry.  
 Deemlah.  
 Koonurgunge.  
 Bhowannygunge.  
 Fooranbarry.  
 Chitmaree.  
 Peergunge.  
 Molung.  
 Durwannee.  
 Barny.  
 Potgaon.  
 Sonascekatta.\*  
 Faqueergunge.\*  
 Bodah.\*  
 Nugessury.

**BOGRAH DISTRICT.**

Bograh.  
 Adimdigeo.  
 Noakilla.  
 Khettall.  
 Lalbazar.  
 Budulgatchee.  
 Govindpore.  
 Dewangunge.  
 Raigunge.\*  
 Sherepore.

**DINAGEPORE DISTRICT.**

Thakoorgawn.  
 Peergunge.  
 Cutwallee.  
 Rajarampore.  
 Chintamun.  
 Bungsheeharee.  
 Gungarampore.  
 Hemtabad.  
 Potiram.  
 Putnectollah.  
 Newabgunge.  
 Hobra.  
 Raneegunge.  
 Rancecsunkul.  
 Porsha.  
 Kalleegunge.  
 Beergunge.

**MALDAH DISTRICT.**

Maldah.  
 Jugdullah.  
 Gowgurriah.  
 Bholahaut.  
 Kalleachuck.  
 Bohanpore.  
 Seebgunge.  
 Chuppye.

**DACCA DIVISION.****DACCA DISTRICT.**

Dacca.  
 Roypore.

Tonghee.  
 Mulfutgunge.\*  
 Lalbang.  
 Furridabad.  
 Roopgunge.  
 Dhomoyle.  
 Puschiudee.  
 Rajabarry.\*  
 Kuposseeah.  
 Sreenugur.\*  
 Naraingunge.\*

#### FURREEDPORE DISTRICT.

Hurreerampore.\*  
 Mauckgunge.\*  
 Jafferungue.\*  
 Newabgunge.\*  
 Pakoollah.\*  
 Seebehur.\*  
 Balgatchee.  
 Mooksoodpore.  
 Bhoosnah.  
 Cutwallee.  
 Talmah.  
 Baitka.

#### SYLHET DISTRICT.

Nubbeegunge.  
 Luskerpore.  
 Pareool.  
 Noacolly.  
 Lattoo.  
 Hengajeeah.  
 Russoolgunge.  
 Sunkerpasah.  
 Taujpore.  
 Rajnagur.  
 Abcedabad.  
 Banseccarah.  
 Jynteeah.  
 Moolagool.  
 Bungong.

#### MYMENSING DISTRICT.

Serajgunge.\*  
 Jumulpore.\*

Sherepore.\*  
 Cutwallee.  
 Nicklee.  
 Bazetpore.  
 Gulfergunge.  
 Futtchpore.  
 Madargunge.  
 Modoopore.\*  
 Ghosgong.  
 Nitroconah.  
 Pengnah.\*  
 Gaubtully.

#### BACKERGUNGE DISTRICT.

Cutwallee.  
 Angarraah.  
 Melhidigunge.  
 Nulchittee.  
 Goorundi.\*  
 Cotehooah.  
 Kewari.  
 Tugra.  
 Fhulscolly.  
 Bhowphul.  
 Cutwalceparah.\*  
 Mirzagunge.  
 Bureerhant.\*

#### CHITTAGONG DIVISION.

##### CHITTAGONG DISTRICT.

Islamabad.  
 Putteeah.  
 Chuckerriah.\*  
 Jourawargunge.  
 Blutteary.  
 Hant Hazaree.  
 Futtickcherry.  
 Rowajan.  
 Satoneea.  
 Ramoo.\*  
 Tecknafl.\*

##### TIPPERAH DISTRICT.

Cutwallee.  
 Juggernath Diggy.

Cashba Noornuggur.

Burkamtah.

Changulnaecah.

Luckshum.

Hazigunge.

Doodcondy.

Thorlah.

Toobkeelugrah.

Nussurngur.

Goureepoorah.

### BULLOOAH DISTRICT.

Soodaram.

Begungunge.

Chandea.\*

Luckeepore.

Hatæea.\*

Sundeeep.

Ameergunge.

Ramgunge.

Bomanee.

Dhunnea Mooneah.\*

### NUDDEA DIVISION.

#### NUDDEA DISTRICT.

Hardee.

Maheerpore.

Augurdeep.\*

Harrah.

Hanskhally.

Dowlutgunge.

Bogdah.

Ranaghant.\*

Kaguzpookoorea.\*

Sooksagur.\*

Santipor.\*

Cutwallee.

Ballee.

Dewangunge.

Goburdangah.\*

Nuddea.\*

### TWENTY-FOUR PERGUNNAHS DISTRICT.

Kallighaut.

Kidderpore.

Entally.

Pautterghatta.

Chitpore.

Arreadah.

Etagatchee.

Govindpore.

Gobbaria.

Bistopore.

Bankypore.

Ramnugur.

Barruckpore.

Moydah.

### BARRASUT DISTRICT.

Nyahatty.

Bosharlut.

Kodumgatehee.

Collingah.

Lubsa.\*

Dum Dum.

### JESSORE DISTRICT.

Cutwallee.

Jenidah.\*

Tallah.\*

Trimony.

Noabad.\*

Sulkea.

Kotechaundpore.

Singah.

Kaloopole.

Lohargurrah.\*

Mahomedpore.\*

Sazially.

Fuckeerabad.\*

### MOORSHEDABAD DISTRICT.

Soojagunge.

Rajabazar.

Gour Berhampore.

Cossimbazar.

Jan Mahomedpore.

Moora Gowar.

Nektakhalce.

Shahanuggur.

Goondheetulla.

} City Than-  
nahs.

|                     |                       |  |
|---------------------|-----------------------|--|
| Poolahasunoolakhan. | } City Than-<br>nahs. |  |
| Mohcemapore.        |                       |  |
| Manoolabazar.       |                       |  |
| Mohajuntolee.       |                       |  |
| Akraramshaha.       |                       |  |
| Ahasunporh.         |                       |  |
| Rajbattee.          |                       |  |
| Rancesur.           |                       |  |
| Choyendengah.       |                       |  |
| Kalliangunge.       |                       |  |
| Bhaddreehaut.       |                       |  |
| Kalkapore.          |                       |  |
| Pulsa.*             |                       |  |
| Mirzapore.          |                       |  |
| Khamra.             |                       |  |
| Dewanseraie.        |                       |  |
| Raneetullah.        |                       |  |
| Gowas.              |                       |  |
| Sootee.*            |                       |  |
| Govindpore.         |                       |  |
| Jellinghee.         |                       |  |
| Nowada.             |                       |  |
| Hurryhurparah.      |                       |  |
| Doultabad.          |                       |  |
| Burwah.             |                       |  |
| Shumshirgunge.*     |                       |  |
| Gokaram.            |                       |  |
| Noorye.             |                       |  |

**BURDWAN DIVISION.****BURDWAN DISTRICT.**

Burdwan.  
Mungulkote.\*  
Rainah.\*  
Cutwa.\*  
Sulleemabad.  
Gungoorcah.  
Muntessur.  
Poobthul.  
Balkissen.  
Indoss.  
Potenah.\*  
Culna.  
Ousegram.\*

**HOOGHLY DISTRICT.**

Hooghly.  
Bydebatty.\*  
Serampore.\*  
Jelianabad.\*  
Ghattal.\*  
Bansbarreah.  
Banipore.  
Poondooah.  
Dhunneeacolly.  
Hurripaul.\*  
Rajbulhaut.\*  
Dewangunge.\*  
Chunderkona.\*  
Chinsurah.

**HOWRAH DISTRICT.**

Sulkea.  
Rajapore.  
Doomjore.  
Bagran.  
Omtah.  
Cooabariah.  
Kotra.

**BANCOORAH DISTRICT.**

Bancoorah.  
Sitlah.  
Okerah.\*  
Bishenpore.\*  
Oondah.  
Sonamokey.\*  
Kotulpore.\*  
Senpaharec.\*  
Choorolca.\*  
Chatna.  
Rogoonathpore.\* (part in a sub-  
division.)  
Niamutpore.\*

**BEERBHOOM DISTRICT.**

Sooree.  
Afzulpore.  
Deoghur.\*  
Operbunda.\*  
Shenah.



Kissenuggur.  
Kushba.  
Labpore.  
Sakooleepore.  
Keogunge.\*  
Burwa.  
Doongong.  
Nulhutty.  
Khoorbana.  
Mouressur.  
Nangoolee.  
Bhuritpore.

**MIDNAPORE DISTRICT.**

Cutwallee.  
Pertabpore or Panch Koorā.\*  
Kolmeejole.  
Subbung.  
Nugwan.\*  
Kassigunge.  
Pottaspore.\*  
Puddumbiswan.  
Ramoobunder.  
Gurbetta.\*  
Musnudpore.\*  
Sirsa.  
Silda.  
Sotpattee.  
Dynamaree.  
Chuttrapal.  
Kadoyrzan.  
Nilmaul *alias* Nimal.\*  
Baminarraah.\*  
Kunchunnuggur.\*  
Sagrussur.\*  
Bassoolyah.\*  
Ghat Kedgereee.\*

**CUTTACK DIVISION.****CUTTACK DISTRICT.**

Jaujpore.\*  
Muttoo.\*  
Cuttack.  
Urruckpore.\*

Assuressur.  
Hurrihurpore.  
Teerum.  
Pyrajpore.  
Pattamoondce.

**BALASORE DISTRICT.**

Balasore.  
Bhuddruck.\*  
Myaspore.  
Bustah.  
Sorahchooramin.  
Rauj Ghaut.

**POOREE DISTRICT.**

Khoordah.\*  
Banpooree.  
Pooree.  
Piply.  
Nubba.  
Gope.

**SOUTH-WEST FRONTIER  
AGENCY.****HAZAREE BAUGH.**

Khurruckdea.\*  
Buggodhur.\*  
Burhee.\*  
Chitra.\*  
Gowa.\*

**LOHURDUGGA.**

Lohurdugga.  
Kissenpore.  
Balloomoth.  
Lcsligunge.  
Monka.  
Shawpore.  
Chutterpore.

**MAUNBHOOM.**

Parnlia.  
Chass.  
Ryepore.  
Rajabhitta.\*

**ZAMINDARI POLICE.**

Begemkadar.  
 Mokoondopore.  
 Torang.  
 Hishla.  
 Patkoon.  
 Joypore.  
 Thaldah.  
 Putkooi.  
 Toondee.\*  
 Baugmooudee.  
 Narsa, Govindpore.  
 Neamutpore Rajibhutta.  
 Poapore.

**SOUTH-WEST FRONTIER AGENCY.**

Palamow.\*  
 Oodeypore.\*  
 Sirgoojah.\*

**ASSAM.****GOWALPARAH.**

Gowalparah.  
 Singheemarry.  
 Kurribarry.  
 Dobree.

**KAMROOP.**

Gowahatty.  
 Chagong.  
 Buzullee.  
 Ntlbārree.  
 Burpettah.\*  
 Tomulpore.

**DURUNG.**

Sudder Thannah or Tezporc.  
 Durung.\*  
 Chatgarry.\*  
 Karrecaṇṇarah.

**NOWGONG.**

Sudder Thannah.  
 Juggee.  
 Jomoonamoote.  
 Sumoogooding.

**SEEBASAGUR.**

Jorchaut.  
 Seeksagur.  
 Joypō.c.\*  
 Golaghaut.\*

**LUCKIMPORE.**

Luckimpore.  
 Chydooar.  
 Dibrooghur.  
 Saikwah.

**ARRACAN.**

Aeng Thannahs not specified.  
 Akyab ditto.  
 Sandoway ditto.

**RAMREE.**

Samookra.  
 Chunna.  
 Romee.

**TENASSERIM PROVINCES,**

Not specified.

**CACHAR.**

Sudder Thannah.  
 Katecgorah.  
 Hykerkandy,  
 Cossiah Hills. } not specified.  
 Darjeeling. }

*List of Sub-Divisions with the names of the Thannahs in each.*

- BARRH. *Thannah* Barrh, and Chowkee Chumpapore, in Patua, and *Thannah* Durreapore in Monghyr. Sub-Divisions.
- NOWADAH. *Thannahs* Nowada and Behar, and *Chowkees* Hoolasgunge Husnea, and Kinar Chutty in Behar.
- SEWAN. *Thannahs* Sewan, Hasseepore, Beturdah, and Derwalee in Sarun.
- SASSEERAM. *Thannahs* Sasseeeram, Burruan, Bhubooah, and Sawut ; and *Chowkies* Tiloothoo, Nosreegunge, Deleree, Jehanabad, Hatta, and Mohunna in Shahabad.
- MUDHYPOORAH. *Thannahs* Soopole, Mudhypoora, and Boodhowā in Bhagulpore and Nathpore and Dumdaba in Purneah.
- BUHEERAH. *Thannahs* Buheerah, Bhowara, Nagurbassee and Mudhyepore and *Chowkee* Singhea, Lawkaba and Bausserah in Tirhoot.
- KISSENGUNGE. *Thannahs* Kissengunge, Doolalgunge, Bahadoorgunge, and Kaliagunge in Purneah.
- AURUNGABAD, LATE FURRACKABAD. *Thannahs* Foodkeepore, Furraekabad and Rajmehal in Bhaugulpore, and *thannah* Shumshergunge, Pulsa, Sootee and Calcapore in Moorsheadabad.
- NATTORE. *Thannahs* Nattore, Changong, Belmariah, and Ghatty Poota in Rajshahye.
- DEOGHUR. *Thannah* Nouee or Luker Dewahy, *Pharee* Jyepore and *Hill Thannah* Doomkee in Bhaugulpore, and *Thannahs* Chuckye in Moonghyr and Deoghur and Ooperbunda in Beerbhoom.
- MOONSHEEGUNGE. *Thannahs* Rajabaree, Sreenuggur, Mulfutgunge, and Naraingunge in Dacca.
- MANICKGUNGE. *Thannahs*, Maniekgunge, Jaffergunge, Hurreecrampore, Nowabgunge and Paceoola in Furreedpore.
- SERAJGUNGE. *Thannahs* Serajgunge in Mymensingh, Shazadpore in Pubna and Ryegunge in Bogra.
- JAMALPORE. *Thannahs* Jamalpore, Sherepore, Pengnah and Moddoopore, and *Pharee* Hajepore in Mymensingh.
- DUKHIN SHABAZPORE. *Thannah* Chandeah, Dhunnea Mocneah, and Hattiah in Noakolly.
- MAGOORAH. *Thannahs* Jenidah, Fukeerabad, and Mahomedpore in Jessore.
- KHOOLNAH. *Thannahs* Noabad, Tallah, and Lohargurrah in Jessore.
- SERAMPORE. *Thannahs* Hurrypaul, Rajbulhaut and Bydebatty, and the Town of Serampore with dependencies, in Hooghly.
- JEHANABAD. *Thannahs* Dewangunge, Ghuttal, Chundereonah, and Jehanabad in Hooghly, and Rainah in Burdwan.
- SANTIPORE. *Thannahs* Santipore, Nuddeah, Ranaghaut and Sooksagur in Nuddeah.
- CUTWA. *Thannahs* Khosalpore or Agurdeep, in Nuddeah, Cutwa and Mungulcote in Burdwan, and Keogunge in Beerbhoom.

## Sub-Divisions.

- BOOD BOOD. *Thannahs* Potenah, Ousegram in Burdwan, and Sonamooke, and Senpaharce in Bancoorah.
- MUNGULPORE. *Thannahs* Niamutpore, Okerah and Cheruliah, part of *Thannah* Roghoonathpore, and *Chowkee* Gourangdih in Bancoorah.
- GURBETA. *Thannahs* Bishenpore and Kotulpore in Bancoorah, and Belahgur or Gurbeta in Midnapore.
- KALAROA. *Thannahs* Lubsa, and Pharee Assassonee in Baraset, and *Thannahs* Kaguzpookooria and Goburdanga in Nuddeah.
- NUGWAN. *Thannahs* Nugman, Sagressur, Nimal, Kanchunnuggur, Ghat Kedgerec, Kadoorzan and Puttaspore in Midnapore.
- TUMLOOK. *Thannahs* Basoolyah, Musundpore, Baminarah, Tumlook and Pertabpore, in Midnapore.
- BHUDDRUCK. *Thannahs* Bhuddruck in Balasore, and Jarjpore, Urruekpore, and Muttoo in Cuttaek.
- KHOORDAH. Khas Estate of Khoordah in Pooree.
- BURPETAH. *Thannahs* Burpetah, and Chumoooreah.
- MUNGLEDYE. *Mehals* Durrung and Chatgarce.
- GOLAGHAUT. *Thannahs* Golaghaut in Nowgong, and a part of the Sibsagar district lying along the Dhunserie river, with concurrent jurisdiction on each bank of that river.
- JAIPORE. *Thannah* Jaipore in Sechsagar and that part of Muttuck which lies to the East of the Boaree Delung river, extending North and North East of the Tungri.
- NORTH LUCKIMPORE. (Not stated.)
- SHERGOTTY. *Thannahs* Nobbennuggur, Ourungabad, Shergotty, and 70 miles of the Grand Trunk road, in Behar.
- BURHEE. *Thannahs* Burhee, Bughadur, Gowa, and Khurrukdea, and outpost *Chowkies* of Serampore, Koderma, and Massergunge, and 71 miles of the Trunk road in Hazareebaugh.
- GOVINDPORE. *Thannahs* Rajabeeta, and Zemindaree *Thannahs* Pandra and Toondee, and 45 miles of the Trunk road in Manbhoom.
- KORUDAH. *Districts* of Palamow, Oodypore and Sirgoojah.
- COX'S BAZAR. *Thannahs* Ramoo, Teeknaaf and Chuckerriah, and *Pharees*, Mascal and Kotabdea in Chittagong.
- SOOKANEE. *Thannahs* Sonaseekatta, and Fakeergunge, and 54 villages in *Thannah* Bodah in Rungpore.
- MUDDAREEPORE. *Thannahs* Gournndee, Khutwalliparrah, and Booreerhaut in Backergunge, and Sheebchur in Furreedpore.



*Contingent charges, and the orders under which the several descriptions may be incurred and passed.*

DESCRIPTION OF CHARGES WHICH MAY BE INCURRED BY THE MAGISTRATES WITHOUT REFERENCE TO THE SESSIONS JUDGES OR COMMISSIONERS OF CIRCUIT.

*Prisoners expenses.*

Diet allowance or rations supplied to prisoners.—See order dated 13th December, 1805, modified as per Sudder Court's Circular Orders of the 9th July, 1844, and 6th October, 1844, and Government Orders 1st April, 1846.

Half yearly clothing and annual blankets to prisoners.—See orders dated 13th December, 1805, modified as per orders of the 16th October 1818.

Medical charges when passed by the Civil Surgeon of the station.—See orders dated 26th October, 1830.

Subsistence, &c. to prisoners released.—See Regulation IX. of 1793.

Distributing Cowries to prisoners.—Discontinued.

Extra burkundauzes employed over the working convicts.—See orders 24th January, 1828.

Diet allowance to prisoners while proceeding from one district to another. Oil for lights in the road. Cooley-hire for conveying the baggage.—See Regulation LIII. of 1803, Section VIII. Clause V.

*Jail.*

Brooms, baskets, gumlahs, dammer, durmah, mats, rosin, charcoal.

Oil for lighting Jail.

Reward for re-apprehending escaped convicts to the extent of 50 Rupees and under.—See orders dated 10th October, 1844.

Quarterly whitewashing the Jail.—See orders dated 27th November, 1823.

*Magistrate's Office contingencies.*

Punkah pullers.—See Circular Order dated 9th July, 1851.

Dietering indigent prosecutors or witnesses in attendance at the Magistrate's Court.

Kharrooah, coarse-cloth and wax-cloth.

Gum, vinegar for ink, wax-candle, sealing-wax, binding books, silk, thread, needles, paste, &c.—Susceptible of audit by the Superintendent of Stationery.

*Jail Manufacture.*

Purchasing materials.—See orders dated 9th September, 1844.

Extra burkundauzes to superintend the work of the convicts.—See orders dated 1st April, 1853.

*Repairs.*

Thatched sheds within 100 Rupees.—See orders 27th November, 1823.

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DESCRIPTION OF CHARGES SUSCEPTIBLE OF SANCTION BY THE SESSIONS JUDGE.

*Prisoners' expenses.*

Extra burkundauzes escorting prisoners from one district to another.—See orders 11th January, 1831, also 4th July, 1853.

Charpoys for sick prisoners.—See Circular 22nd March, 1836.

*Jail expenses.*

Making new sets fetters or additional manacles, tools for working convicts, baskets, floss, hoes, pickaxes, spades, when renewed to any extent.

*Office contingencies.*

Purchase of tables, chairs, almirahs, boxes, chests, wooden horse for records, mats, sutranches and punkahs, khus khus tattees, new badges for the office peons and burkundauses. New Seals if required. Scale of ditto.

Country stationery.—Susceptible of audit by the Superintendent of Stationery.

*Temporary establishment.*

Extra native establishment for 6 months.—See orders dated 21st August, 1832. Superseded by Hon'ble Court's Resolution 8th December, 1843, and Government Order 6th May, 1844.

*Incidental expenses.*

Incidental expenses other than those mentioned above, may be incurred to the extent of 100 Rupees under authority of the Sessions Judges.—See Act VII. of 1835.

## DESCRIPTION OF CHARGES SUSCEPTIBLE OF SANCTION BY THE COMMISSIONERS.

*Office contingencies.*

Country stationery for Thannahs. Badges for Thannah Burkundauses. Travelling charges of Omlahs.

Reward for apprehending offenders.—See orders dated 16th October, 1843.

Reward for killing dogs.—See orders dated 29th August, 1839.

*Repairs.*

Repair of Police Thannahs.—See orders dated 28th July, 1840.

*Incidental expenses.*

Incidental Police expenses besides those above particularized, may be incurred to the extent of 500 Rupees under the authority of Commissioners.—See orders dated 21st August, 1838.

## DESCRIPTION OF CHARGES SUSCEPTIBLE OF SANCTION BY GOVERNMENT.

Transportation and removal of convicts. Charges for transporting convicts by sea.

*Authority of the Sudder Nizamut Adawlut.*

Charges, attending the removal of prisoners from one district to another.—See Regulation LIII. of 1803, Section VIII. Clause V.

*Rent.*

Ground rent of the Cutcherry, Jail, Malkhannahs and Thannahs.

*Temporary establishment.*

Extra establishment.—See orders of 6th May, 1844.

*Miscellaneous contingencies.*

Purchase of tents.—See orders dated 18th November, 1839.

Reward for apprehending notorious offenders and for the performance of special service exceeding 500 Rupees.—See Sections XVI. and XVIII. of Regulation XVI. of 1810.

*Pension Rules, of 4th January, 1831, with Notes.*

**First.**—Superannuation Pension will be granted only to the superior classes of public servants indicated in the annexed list. Inferior servants, sowars, armed or organized peons, including jemadars and other ranks, lascars,\* boatmen, artificers, labourers, and menials, are to have no claim to such Provision.

\* Native seamen in the Marine or Pilot establishments at the Bengal Presidency, are not included within the Provisions of these Rules.

Lascars who entered service before 1835, are entitled to Pension (*Marine, 29th April, 1835. No. 10.*)

All claims for Pension under these Rules to be referred for the examination and report of the Civil Auditor before any decision is passed on them. (*Marine, 12th April, 1848, Nos. 4 & 6.*)

Civil Auditor to report on each case.

The Governments of the several Presidencies have been cautioned by the Hon'ble the Court of Directors against holding out any hopes to the uncovenanted service of Pensions, which these Rules do not justify. (*General, 18th August, 1847, Nos. 4 and 5.*)

Hopes not justified by the Rules, not to be held out.

The Hon'ble the Court of Directors have laid down as a general principle that Pensions are to be granted *on* and not *after* retirement from the public service. (*Financial, 14th August, 1846, No. 11.*)

To be granted *on* and not *after* retirement.

**Second.**—With the exception of Native Judges and Law Officers, the applicant must have been employed in the public service for a period of at least twenty years.

In granting Pensions to Section Writers, their *period of service* is to be calculated by the number of monthly bills counting as months. (*Political, 9th January, 1829.*)

Section Writers' bills to count as months.

The principle of the above order, (passed prior to 1831,) by which the *services* of Section Writers are to be calculated when applicants for pension, declared equally applicable to the *services* to the old Rules. (*Financial, 17th October, 1845, 5th November, 1845; Judicial, No. 1, and General Nos. 13-4.*)

Section Writers' bills to count as months.

Section Writers on the regular establishment, but not those employed occasionally, are allowed the benefit of the Uncovenanted Pension Rules, the period of service to be calculated by the number of monthly bills, and the stipend by the average amount of the last seventy-two\* bills. (*Government of India, 17th October, 1845; Court's Order, 6th February, 1849; Financial, N. W. P., 9th April, 1849 and General, 11th April, 1849, No. 1.*)

Section Writers on the regular establishment and not temporary ones to be allowed Pension.

The claims for Pension founded on occasional employment as a substitute Copyist for others on the fixed establishment of a public office, are inadmissible, as in that case Government would be recognizing two claims, at the same time, on account of one situation. (*Hon'ble Court's Despatch to Madras, Paras. 1 to 3, Public.*)

Monthly bills counting as service—average formed from last 72 bills.

There is nothing in the Rules which requires that service shall have been *continuous* to entitle an applicant to the benefits of pension. (*Final. Department, 27th December, 1850, No. 1779. (Military Department, Consn., 10th January, 1851, Nos. 400 to 402.)*)

Substitutes not to be allowed Pension.

**Third.** The public servant, whatever may have been the period of his service, must be incapacitated for further employment, by old age, protracted ill-health, loss of sight, or other bodily or mental infirmity.

**Fourth.**—The character, conduct and past services of the public servant, must be favorably certified by the officer or officers under whom he may have been employed, and must appear to be such as to entitle him to the favourable consideration of Government.

\* Under the rules of 1831, of the last 60 bills;—*vide* Section 2nd, and Clause 2 Section 8th.



Applications to be made to the Department best acquainted with character of service.

Applications from persons employed in the Police to be submitted with a certificate of character.

Applications for Pensionary support to be considered and determined by Government in the Department to which the applicant may have last belonged; that Department being the most likely to be acquainted with the character of the service rendered. (*General, 3rd May, 1843, No. 3.*)

The Superintendent of Police L. P. desired, when submitting applications for Pension from persons employed in the Police, to state invariably how far he considers them entitled to pension by their past character and services. (*Judicial, 21st March, 1853, No. 49.*)

**Fifth.**—Whenever it may be judged expedient to grant a Pension to a public officer, whose case may come within the foregoing provisions, the amount of the Pension shall be limited as follows:—

*First.*—If the period, during which the individual may have been actually employed in the public service, shall be more than twenty years, but less than thirty years, the amount of the Pension shall not exceed one-third of the monthly salary or authorized official allowances of such individual, calculated on an average of five years previously to the date of the application for such Pension.

*Second.*—If the period of actual service shall have been thirty years or upwards, the amount of the Pension shall not exceed one-half of the salary or authorized allowances of the individual, calculated in the manner above stated.

*Third.*—For Law Officers and Native Judges, the period of fifteen years shall be substituted for that specified in Clause 1st, and twenty-two years for the term mentioned in the 2nd Clause.

Extended to Principals and Head Masters of Colleges and Schools by the Hon'ble Court in their Despatch No. 23 of the 20th July 1853, Financial Department.

*Fourth.*—The rates of Pension shall be fixed on a graduated scale, within the prescribed limitations, with reference to the responsibility and arduousness of the employment, the degree of merit of the individual, and the nature and length of his service.

An applicant who had served in an exemplary manner for 46 years, was allowed a Pension of half his former salary by the Local Government, but the Hon'ble Court remarked "We should approve of your granting to him two-thirds of his former salary." Vide para. 6 of Despatch No. 46, dated the 6th November, 1844, in the Political Department case of Mr. Vans Ristell.

Pensions equal to two-thirds of salary were granted to the undermentioned servants.

|                                           |                                   |                                          |
|-------------------------------------------|-----------------------------------|------------------------------------------|
| Mr. S. Williams, after 45 years' service. | <i>Civil 12th September, 1837</i> | 3-6                                      |
| Mr. C. U. Smith,                          | 39 " "                            | <i>Judicial, 12th June, 1843</i> 153-157 |
| Mr. F. Grose,                             | 53 " "                            | <i>General, 25th March, 1844</i> 74-76   |
| Mr. W. Forestry,                          | 38 " "                            | <i>Foreign, 3rd July, 1847</i> 78-81     |
|                                           | " 13th November, 1847             | 24-26                                    |

The Head serishtadar of Trichinopoly who had served 45 years, was also allowed a Pension of two-thirds of his salary by the Madras Government. In confirming this grant the Hon'ble Court remarked, "The long and meritorious services of this individual and the unqualified testimony borne to his character and abilities by those under whom he has served fully merited, the remuneration you have granted to him." Vide para. No. 21 of Court's Dispatch to Madras, No. 1 of 1854, dated 1st March.

The entire personal allowance not to be given in addition to Pension.

Parties retiring from the service under the Regulations, are not entitled to the whole of their personal allowances in addition to the Pensions according to these Rules, and no larger amount of Pensions shall be granted than is warranted by these Rules with-



out the previous sanction of the Hon'ble the Court of Directors. (*Financial, 21st June 1845; No. 10, of 9th July, General.*)

The additional allowance drawn by first class Principal Sudder Amecns and Moonsiffs, is not considered personal. (*Govt. of India, 30th August, 1844; Financial, N. W. P., 27th September, 1844—vide Civil Auditor's Manual.*)

When situations are paid partly by salary and partly by commission, the average rate of commission or fees calculated over the entire period for which the office has been held, in addition to the fixed payment, should be assumed as the real salaries of persons so paid, and the Pension reckoned accordingly. (*Opium, 12th February, 1852, No. 9.*)

The gross allowance of officers attached to the Survey Department, are to be taken into account in regulating the amount of their Pensions. (*Vide Court's Despatch dated 30th May, 1854 to Finl. Dept. quoted at the end.*)

The Talubauna of Nazirs to be excluded when computing the average. (*Judicial, 27th March, 1850, Nos. 126-130.*)

Pensions should not be calculated upon the average earnings of applicant's entire service.—Cases may occur, in which such indulgence may be permissible, but they should be reserved for the Hon'ble Court's orders. (*Financial, 21st August, 1846, Salt, 2nd September, 1846, No. 18.*)

Unless the full periods specified in Clause 3, viz., fifteen and twenty-two years, shall have been passed in the discharge of the functions of Law Officer or Native Judge, the advantages conceded by the Clause are not to be allowed. (*Govt. of India, 20th October, 1843;—vide Civil Auditor's Manual.*)

An individual 70 years' old who had served Government upwards of 30 years, though only 19 years, 9 months and 27 days in a grade qualifying for Pension, being less by 2 months and 3 days, than the period required by the Rules, was allowed a Pension of one-third of his salary. (*Réserve, 10th June, 1852, Nos. 2 to 8.*)

In another instance a man who had served Government for 18 years and 4 months in an unhealthy climate, which had weakened his constitution, and being besides blind of one eye and having the powers of the other very much enfeebled, was granted a compassionate allowance equal to one-fourth of his salary. (*Revenue, 10th June, 1852, Nos. 2 to 8.*)

Another who had served nearly 13 years and was discharged owing to his being afflicted with defective vision, wholly incapacitating him for every kind of employment, was allowed a Pension equal to 1-5th of his salary. (*Customs, 6th March, 1850, Nos. 15 to 22.*)

Sanction of the Court of Directors to be obtained when larger amount is to be granted than is warranted by the Rule.

Allowances attached to grades are not personal and to be included in calculation.

Commissions attached to situations to be included in average rate of calculation.

Officers of the Survey Dept.

Not Talubauna.

Pensions not to be calculated on earnings of entire service.

Law Officers and Native Judges not to be admitted when servitude is less than fifteen years.

Service of 19 years and 10 months (out of 30 years) in qualifying grade, rewarded with 1-3rd of salary.

Service of 18½ years in unhealthy climate, occasioning debility and being partially blind, rewarded with 1-4th of salary.

Service of 13 years rewarded with 1-5th of salary on being afflicted with defective vision.

**Sixth.**—A Pension will hereafter be granted by Government to the family, or any member of the family, of a deceased public servant, only when such servant shall have been killed in the execution of his public duty, or shall have died in consequence of wounds or accident sustained therein.

The Hon'ble the Court of Directors desire that in future all Memorials praying for Pensions to the widows and families of deceased uncovenanted servants, should be transmitted to them in the Public\* Department. (*General, 20th May, 1835.*)

The Hon'ble the Court of Directors desire that in forwarding applications from the widows of uncovenanted assistants for pensionary support, the Local Government should state its opinion of the claims and merits of the petitioners, its belief as to their

Applications to be forwarded to England through Public\* Department.

The Local Government to state its opinion of claim and merit of applicants,

\* Now Financial Department.

their condition, descent, and the number and age of children.

Widow's pension to commence generally from last payment of husband's salary or Pension.

destitute condition or otherwise, their descent, whether European or Native, their age, whether with or without children dependent on them for support, and the ages of the children if any. (*General, 8th July, 1835.*)

The Pension to the widow is to commence from the cessation of the salary or Pension of the husband, in all cases in which it is not enjoined to the contrary. (*General, 22nd September, 1834.*)

**Seventh.**—Should cases arise, which are not sufficiently provided for in these Rules, or in which, from special circumstances, Government may be pleased to deviate from them in favour of a claimant to a Pension, such Pension shall be considered only as temporary and provisional, until the grant shall have received the sanction of the Hon'ble the Court of Directors.

Extraordinary service rendered, injuries sustained in execution of duty or sudden termination of service from a visitation incapacitating from employment (such as blindness) can only justify a relaxation of these Rules.

Persons incapacitated by injuries sustained in the public service for the ordinary duties of the service, though able to contribute materially towards a livelihood, not to get more than one-fourth of their pay as Pension.

References to Hon'ble Court to be made through the Financial Department.

Marine Lascars disabled by injury received in discharge of their duty, may be Pensioned.

A Chowkedar maimed in the execution of his duty, allowed Pension.

Two Seamen disabled in an action with Pirates, Pensioned.

Servants not entitled to Pension to get on gratuities on retirement.

High degree of merits to the only ground for the grant of a special Pension and not old age.

The Hon'ble the Court of Directors in para. 46 of their Despatch to the Financial Department, dated 20th June, 1849, remark:—"The sole grounds on which a justification of the relaxation of Rules so liberal in their provisions as are the Superannuation Pension Rules for the Uncovenanted Service, can fairly be based, are either extraordinary service performed, injuries sustained in the discharge of public duty, or a sudden termination of official service, resulting from a visitation such as blindness, which wholly incapacitates from every kind of employment." (*Customs, 6th March, 1850, No. 16.*)

Persons who have sustained injuries in the execution of their duty which render them unfit for the ordinary duties of the service, but who are notwithstanding able to contribute materially towards a livelihood, are not to get Pensions of more than one-fourth of their monthly pay. (*Financial, 23rd October, 1846. Marine, 4th November, 1846, No. 28.*)

All references to the Hon'ble the Court of Directors to be made, and their sanction obtained through the Financial Department. (*Judicial, 5th August, 1844, No. 7.*)

Lascars in the Marine service when disabled by bodily injury sustained in the actual discharge of public duty to be allowed a Pension at the discretion of Government. (*Marine, 29th April, 1835, No. 10.*)

A Chowkedar who had served in that capacity for 25 years and was remunerated by a grant of land measuring 8 beegahs paying an annual jumma of 8 Rs., having been maimed in an encounter with some dacoits in the execution of his duty, was allowed a life Pension of Rs. 2-8 per mensem. (*Judicial, 21st May, 1845, No. 165-9.*)

Two European Seamen who had been disabled by wounds received in action with Pirates, were also allowed Pension. (*Marine, 26th July, 1848, No. 19.*)

Grant of gratuities upon retirement, to uncovenanted servants who are excluded from the benefit of the Pension Rules, prohibited by the Hon'ble Court of Directors. (*General, 1st March, 1848, No. 5.*)

This Order was departed from in the case of a Furrash who was on the receipt of 4 Rupees on the reduction of an establishment in which he had served nearly 12 years (*Revenue 15 April, 1852, No. 42.*)

Six months pay granted as gratuity to Omlahs discharged on reduction of an establishment and who had served upwards of 10 years.

Old age should not be considered as a ground for the grant of special Pensions. These grants should be avoided, except in testimony of a very high degree of merit. (*Financial, 21st August, 1846; Salt, 2nd September, 1846, No. 18.*)



**Eighth.**—Whenever an application may be made to Government with a view of obtaining the grant of a Pension, in favour of any officer employed in the public service, the application shall contain full and specific information on the following points :

*First.*—The name, class or caste, age and proposed place of residence of the individual, for whom the Pension may be solicited, the situation in which he may be employed at the time when the application may be made, the total period during which the individual may have been employed in the public service, and the various official situations in which he may from time to time have been so employed.

*Second.*—The monthly amount of the salary or official allowances of the individual in question, on an average of five years previously to the date of the application.

*Third.*—The causes by which the individual may have been rendered incapable of discharging any longer the duties of his office, whether by extreme old age, protracted illness, loss of sight or other bodily or mental infirmity.

*Fourth.*—His general character, conduct and past services in the official situations which he may have held.

The period of service passed in a grade in which the candidate is not eligible to a Pension, cannot be reckoned as part of the prescribed term of service, qualifying for a Pension in a grade in which he would be eligible under the Rules of the 4th January, 1831. Meritorious cases will be considered specially where the service of the candidate has been such as to entitle him to favour, though he may not in grades entitled to Pension, have completed the prescribed terms of service. (*Calcutta Gazette*, 18th June, 1845; also *Sudder Dewanny Adawlut*, C. O. Nos. 199 and 217, volume 3, pages 242 and 257.)

Period of service in an ineligible grade or on a salary of 10 Rs. and under, not to be reckoned.

With reference to the above notification, by which a service of 20 years on a salary of more than 10 Rs. per month, is required to entitle civil officers to a Superannuation Pension, under the Rules of the 4th January, 1831, heads of offices are directed, when submitting applications for Pension, to state in column 9 of the Register, what offices have been held and what rate of official emolument has been enjoyed by the applicant from time to time during the whole period of his service. (*Notification of 5th May, 1847, Revenue, 5th May, 1847, No. 15.*)

Column 9 of Register to show the different offices held by an applicant and salary or allowance drawn by him during the whole period of service.

An officer whose total period of service was 29 years, the greater portion of which he served in a Military capacity, declared not entitled to pensionary support under these Rules, as military service is not reckoned in the Civil Department. (*Revenue, 2nd March, 1848, Nos. 1 to 12.*)

Military service not to reckon in Civil Department.

Nor service in the Department of public works. (*Judicial, 1st October, 1851, Nos. 3-4.*)

In conformity to the orders of Government, the Sudder Court request that Judicial Officers, whenever they may have occasion to submit applications for the grant of Superannuation Pensions to persons subordinate to them, for the consideration and orders of Government, will forward them, with due observance of the forms prescribed in the Pension Rules, through the channel of the Court of Sudder Dewanny and Nizamut Adawlut. (*Sudder Dewanny Adawlut*, C. O. No. 196, volume 3, page 236.)

Applications from Judicial Officers to be submitted through the Sudder Court.

A claimant may be admitted to the benefit of these Rules, if the last promotion to the grade entitling him to Pension, was obtained as a reward for meritorious service or for other good conduct. (*Government of India, 22nd June, 1832;—vide Civil Auditor's Manual.*)

Should last promotion to a qualifying grade be a reward of good conduct or meritorious service, claim may be admitted.

Service in the late Provincial Battalions to whatever length protracted, confers no claim to pensionary provision. (*Financial, 21st August, 1845; Salt, 2nd September, 1846, No. 18.*)

Service in Local Battalions not to be reckoned.

No Pensions will be paid in England. (*Financial, 25th October, 1844, No. 7; 6th November, Revenue.*)

Stipends not payable in England.

On services being dispensed with servants allowed pension although not quite incapacitated.

Certain Ministerial Officers whose periods of service varied from 17<sup>th</sup> to 21 years having been discharged by the abolition of their offices, were allowed each a Pension of  $\frac{1}{3}$ rd of their salaries, though some were not quite incapacitated for further employ. (*Judicial, 12th July, 1818, No. 176-8.*)

Facts stated in application to be verified by affidavits before a Magistrate.

**Ninth.**—If the officer making the application shall be unable from his personal or official knowledge, to supply the whole of the specific information above required, he shall call upon the individual, in whose favour the application may be made, to furnish a written statement (to be verified by his oath or solemn declaration if required) on such of the points above noticed as may be necessary.

His Excellency the Most Noble the Governor General in Council has been pleased to determine as a general rule, that under the circumstances stated in the above rule (*C. O. Nizamut Adawlut, No. 35 of 1819*) applicants for Pensions, shall verify the facts stated in their applications by affidavits before a Magistrate. (*Circular Order, Nizamut Adawlut, 1st April, 1820.*)

Medical Certificate to specify the nature of complaint and whether induced by irregular or intemperate habits or not.

**Tenth.**—If the individual shall be rendered incapable of further service by protracted illness, loss of sight or other bodily or mental infirmity, a medical certificate to that effect shall be also transmitted with the application.

In a case in which the medical certificate simply reported the applicant to be suffering from the "effects of long continued illness" and "unfit for the performance of his duties," the Hon'ble the Court of Directors wrote as follows in their Despatch No. 31, of 18th December, 1849.—"To enable us to decide upon the propriety of allowing the retirement upon Pension of the uncontented servants of Government, it is desirable that we should be placed in possession of detailed information regarding their several cases. The nature of the complaint and whether or not it has been induced by irregular or intemperate habits, are points on which it is specially necessary to afford us information. We beg this may be attended to in future." (*General, 20th February, 1850, No. 3.*)

Applicants to appear either before the Medical Board or before a Military Invaliding Committee. Those residing at any distance from a Military Station are to appear before a Special Invaliding Committee to be convened for the purpose and to be composed of at least 3 Officers. It is, however, discretionary with Government to accept the Certificate of a single Medical Officer.

It is desirable to adopt with respect to applications for civil Pensions, precautions similar to those which are in force in the Military Service, as far as may be practicable without serious inconvenience. It has been brought to the notice of Government that cases may arise in which the certificate of a single Medical Officer cannot be held to be conclusive, and His Honor in Council is pleased accordingly to determine, with a view to check the existing practice in the Civil Department of Government of granting Pensions upon the certificate of a single Medical Officer, that in all applications for Civil Pensions under these Regulations, whether to the Government of India or to the Local Governments, it shall be optional with those Governments to require that the applicants shall appear either before the Medical Boards at the respective Presidencies or before a Military Invaliding Committee, when the station or district in which the applicant for Pension may be serving at the time of application shall be within a moderate distance of a station at which a Military Invaliding Committee is periodically assembled. With regard to applicants, who are residents at an inconvenient distance from any Military Station where an invaliding Committee is periodically assembled, the President in Council is pleased to resolve that the several Governments shall be empowered, whenever occasion may require it, to assemble at any conveniently-situated Civil Station, a Special Invaliding Committee, by deputing from neighbouring districts such number of Medical Officers as may be required in order to make up a Committee of at least three officers, at the station which may be



selected for the purpose. It is to be understood, however, that it shall be discretionary with the several Governments to accept the certificate of a single Medical Officer in cases in which they shall see fit to do so. (*General, 21st February, 1849, No. 6.*)

In all future applications for Pension in the Civil Department, the applicant is to appear before an Invaliding Committee and obtain from them a Medical Certificate. When this may not be practicable, the officer recommending the grant of the Pension is to state the circumstances which prevent the observance of the Rule, in order that the propriety of dispensing with it may be taken into consideration. (*Government of India, 30th December, 1848; Financial, N. W. P., 6th February, 1849;—Vide Civil Auditor's Manual.*)

Applicant to appear before an Invaliding Committee for a certificate; when this may not be practicable, the circumstances preventing the observance of the rule to be reported.

**Eleventh.**—Each application for a Pension under the foregoing Rules, shall be made by the head of the office, under whom the individual recommended to be Pensioned may be employed, in a letter addressed to Government, and accompanied by a Register on a separate sheet of paper in the form hereto annexed.

**Twelfth.**—Lapses of Pensions shall be communicated to the Civil Auditor as soon as possible after the occurrence and it shall be the duty of the several officers in charge of Treasuries (*Collectors*) from which Pensions are paid, to appoint a proper person of their establishment to report all lapses to them, and along with themselves be responsible to Government for the fulfilment of this Rule.

**Thirteenth.**—No Pension shall be payable in arrear for a period exceeding six months without the express sanction of Government, obtained through the Civil Auditor, unless the cause of the suspension of payment shall have been the neglect, order or act of some public officer, and beyond the control of the Pensioner, when the Civil Auditor, on a reference being made to him, shall exercise his discretion in passing arrears for payment, or submit a representation of the case for the information and orders of Government, as he shall consider proper.

A young lady, a Pensioner of Government, having entered a convent and taken vows of a religious order, instructions were issued for the payment of her stipend so long as proof of her being alive was satisfactorily ascertained. (*General, 20th January, 1847, No. 2.*)

Pension continued to a Nun.

**Fourteenth.**—It shall be the duty of the Civil Auditor to exercise a vigilant control over this class of Pensions as over all others, and with that view to bring to the notice of Government all instances in which, in the granting of Superannuation Pensions, any of these Rules may be departed from, unless he shall be distinctly informed that a special exception has been made in the individual instance.

**Fifteenth.**—It shall further be the duty of the Civil Auditor to lay before Government, at the end of each official year, a Statement, exhibiting a comparison between the amount of Pensions that have lapsed, and the amount of Pensions granted during

the year: and as a check against the fraudulent continuance of Pensions beyond the actual term of the pensioners lives, that officer shall from time to time compare the periodical decrement of life among the pensioners of each year, with the usual duration of life, and where lapses do not occur, in the proportion that might be anticipated, it shall be his business to institute such inquiries as may appear necessary to ascertain whether, and in what particular instances fraud has actually been committed, and to submit to Government the result of his investigation.

*List of the several classes of subordinate officers in the Civil Department, who, under the foregoing Rules, are considered to have eventual claims to Superannuation Pensions from Government.*

Registers, Head Clerks, and Accountants.

Indexers, Examiners, Readers.

Librarians, Record Keepers.

Translators, Interpreters.

English and Native Writers, Moonshees, Jawabnuvees.

English and Native Accountants, Mohurrirs, Mutusudees.

Gomastahs, Karkoons, if drawing more than 10 Rs.

Head Treasurers.

Head Native Revenue Officers, Serishtadars, Dewans.

Head Native District Revenue Officers, Tuhseeldars.

Amildars, Peshcars, Ameens.

Heads of Districts, Police Darogahs.

Law Officers, Moulavees, Cazees, Pundits, Mooftees.

Native Judges, Sudder Ameens, Moonsiffs.

Head Executive Officers of the Courts, Nazirs.

Officers in the Education and Survey Departments.

Jailors and Jail Darogahs.

Jailors and Jail Darogahs when duly qualified by service and good conduct, to be included in the list of public servants entitled under the existing Pension Rules to a Superannuation Pension. (*Judicial*, 3rd September, 1844, No. 6, 25th July, 1844, Nos. 1 to 3; and 10th October, 1844, Nos. 12.)

Officers attached to the Calcutta Great Jail.

Officers attached to the Calcutta Great Jail, entitled to Pension. (*Judicial*, 28th April, 1847, No. 26-8.)

To the Grand Trigonometrical Survey.

Uncovenanted servants attached to the Grand Trigonometrical Survey, come under the provisions of the general Pension Rules. (*Financial*, 5th June, 1846.)

Native Doctors.

Native Doctors in civil employ to be allowed Pension, if their service be from 7 to 15 years, equal to one-third of their Garrison pay, if above 15 years, to 10 Rs. per mensem, and after 22 years, to half of their Garrison pay. (*Military Pay and Audit Regulations*, 1835, page 462.) *Vide also Judicial Proceedings*, 8th June, 1854.)

Ditto.

Native Doctors attached to Jails and other Civil Situations, are entitled to Pension under these Rules. (*Judicial*, 27th September, 1831; *General*, 11th October, 1831, No. 20.)

The Pension Rules made applicable to the Paik Companies at Cuttack, but only to those, in the receipt of allowance exceeding 10 Rs. per mensem. (*Judicial, 5th September, 1842, No. 81-2, and 6th September, 1848, No. 92.*)

Also men attached to Cuttack Paik Companies, drawing more than 10 Rs.

Under the Rules in force, officers receiving salaries of 10 Rs. and below that sum, are not entitled to Pension. (*Revenue, 3rd September, 1845, No. 46.*)

Officers drawing 10 Rs. and less as salary, not entitled to Pension.

No servant of the Marine Department shall be admitted to Pension unless the period of duty on which the application is grounded has been one of continual or consecutive service. (*Marine, 22nd April, 1853, No. 10.*)

Nor Marine Servants, conditionally.

In Bengal a Superannuation Pension has never been allowed to a Chorister. (*Ecclesiastical, 22nd May, 1850, Nos. 1 to 5.*)

Nor Choristers.

Constables are not eligible to Pensions. (*Judicial Department, 10th September, 1845, No. 228.*)

Nor Constables.

Government Pleaders not entitled to Pension. (*Revenue, 25th May, 1848, Nos. 3-4.*)

Nor Government Pleaders.

Bailiffs are not eligible to Pension. But Government will, as special cases, entertain applications in their behalf when supported by very strong reasons, entitling individual cases to favorable consideration. (*Judicial, 17th September, 1845, No. 112, and 24th September, 1845, Nos. 110-12.*)

Nor Bailiffs, except in special cases.

The Hon'ble the Court of Directors decided in their Despatch No. 14, of 1848, that Sub-Assistant Surgeons are not to be admitted to the benefit of the Pension Rules. (*Education, 21st June, 1848, Nos. 1 and 2, and 31st January, 1849, Nos. 1 to 3.*)

Nor Sub-Assistant Surgeons.

The Amlahs on the establishments of uncovenanted officers (who draw a fixed allowance on account of establishment,) do not come under the provisions of the Pension Rules. (*Judicial Department, 18th March, 1844, No. 77, and 20th May, 1844, Nos. 1, and 2.*)

Nor Amlahs of uncovenanted servants.

Podars though paid from the Public Funds, being generally entertained as confidential servants of Treasurers, are not entitled to pension. (*Financial, 3rd July, 1846; Judicial 15th July, 1846, No. 7.*)

Nor Podars.

Cases of Podars or Shorffs to be considered specially and decided on their merits. *Letter from Finl. Department, dated 24th June, 1854, No. 2195. (Revenue Proceedings.)*

Special cases.

Clerks on the establishments of the officers of the Supreme Court not being in any way under the control of the Government, do not come within the operation of the Rules for the grant of Pensions to uncovenanted servants of the Government. (*Financial, 3rd April, 1846; Judicial, 22nd April, 1846, No. 14; and General, 24th January, 1849, No. 1.*)

Nor Clerks on the establishments of the officers of the Supreme Court.

A Native clerk aged 82 years who had served for a long period in the office of the Prothonotary and Registrar of the Supreme Court of Bombay, was allowed a compassionate allowance. (*General, 24th January, 1849, No. 1.*)

An aged Native Clerk in the office of the Prothonotary at Bombay, granted a compassionate allowance.

Fractions of less than a quarter of a Rupee to be excluded. (*Military Department, 10th January, 1851, No. 400-2.*)

Pensions granted by Government, are not liable to attachment in satisfaction of Decrees of Court—*Vide* Section II., Regulation XII. of 1814, and Constructions, Nos. 788, 827 and 902, dated respectively the 6th September, 1833, and 24th October, 1834.

See also page 76 of Morley's Analytical Digest, article "Attachment," No. 18.

Register of an Application for a Superannuation Pension from the Establishment of the \_\_\_\_\_ preferred under the rules passed by Government under date the 4th January, 1831.

|    |                                                                                                                 |                                                                                |                                                                        |       |
|----|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------------------------------------|-------|
| 1  | Name of the person by whom the pension is applied for, with the name of his father.                             |                                                                                |                                                                        |       |
| 2  | Number on the Establishment.                                                                                    |                                                                                |                                                                        |       |
| 3  | Identification of the applicant's person.                                                                       |                                                                                |                                                                        |       |
| 4  | Feet.                                                                                                           | Height.                                                                        |                                                                        |       |
| 5  | Years.                                                                                                          | Age of applicant at the time of application.                                   |                                                                        |       |
| 6  | Months.                                                                                                         | Days.                                                                          |                                                                        |       |
| 7  | Religion, caste, or tribe.                                                                                      | Where residing?                                                                |                                                                        |       |
| 8  | Zillah.                                                                                                         | Pergunnah.                                                                     |                                                                        |       |
| 9  | Present employment.                                                                                             |                                                                                |                                                                        |       |
| 10 | Name of office.                                                                                                 | Period of service.                                                             | Salary of office.                                                      |       |
| 11 | Specification of service in offices giving a claim to pension.                                                  | Years.                                                                         | Months.                                                                | Days. |
| 12 | Average salary or authorized official allowance per month for the five years preceding the date of application. | Salary or authorized official allowance per mensem at the time of application. | Abstract of the grounds of application.                                |       |
| 13 | Remarks by the head of office.                                                                                  | Proposed amount of pension per mensem.                                         | Treasury at which the party, if pensioned, wishes to draw his pension. |       |
| 14 | Orders of Government                                                                                            |                                                                                |                                                                        |       |

Reviewed by Govt Secretary 10 22 1831



*Extract from a Despatch from the Hon'ble the Court of Directors No. 46, dated 6th November, 1814, in the Political Department.*

Para. 6. "Mr. Vans Ristell, the Head Clerk of the agency having served in an exemplary manner for 46 years, it would not have been contrary to precedent to have granted to him some addition to his Pension of half his salary (namely Rs. 125) which the Rules grant after a service of 30 years. We should approve of your granting to him two-thirds of his former salary."

Mr. Vans Ristell's case.

The Pension Rules were extended by the Court of Directors to the Officers of the Education Department in the following terms.

Extract Para. 4.

"We have also determined, with a view of showing our estimation of the importance of their services, that the Principals and Head Masters of Colleges, or Schools shall

Pensions to officers of the Education Department.

be ranked in the same class with Law officers and Native Judges, and in like manner with them be qualified, if incapacitated by age or infirmity, to receive Pensions, equivalent to one third of their average monthly salary, after fifteen years service, and to one half after a service of twenty-two years or upwards. This privilege must be confined to Principals and Head Masters. With regard to all other educational servants, a service of twenty years will be a necessary qualification for the minimum rate of Pension."

Para. 5. "The Pensions are to be granted only to servants attached to those Institutions that are wholly, or for the greater part, supported by our respective Governments, and not to those supported from other sources; and Pensions are not to be conceded to any class of persons inferior to those embraced in the Abstract contained in your letter of 30th May, 1818, above referred to, the total number of which was at that time 559 persons."

Vide Court's Despatch to Financial Department Government India No. 23 of 20th July, 1853, Gazette of 14th September, 1853.

*Extract from Court's Despatch to the Government of India, Financial Department No. 18 of the 5th May, 1854.*

Para. 9. "We have adverted to the remark contained in para. 15 of your letter under reply in which you observe that many reasons might be given for recommending to us the grant of the boon of Pensions to uncovenanted servants after a certain period of approved service. We have already expressed our disposition to extend to that class all the indulgence that can be consistently granted to them; and upon a full consideration of the subject, we are prepared so far to concur in the suggestion made, as to authorize you to grant to any uncovenanted servant belonging to a class

Pension after 35 years service may be granted without a medical certificate.

recognized by the present Rules, who, though not possessed of a Medical certificate of incapacity, may be permitted to retire from the service, and who can produce unquestionable testimonials of a faithful and efficient discharge of his duties during a period of 35 years, a pension equal to half the average salary which he may have received during the last five years of his service. These Pensions are to be regarded as the rewards of good service, they will not in any case be claimable as of right, and every Pension which you may see sufficient reason to grant, must be reported to us with a statement of the grounds of your proceeding."

---

*Extract from Court's Despatch, dated 30th May, 1854, to the Financial Department.*

Pensions to officers  
of the Survey Depart-  
ment.

We would first observe upon this reference that Surveyors and Assistant Surveyors employed in the Civil Department have never been formally included, by our authority, amongst those uncovenanted servants to whom you are entitled to grant pensions on their retirement from ill health. It is indeed true that we have several occasions admitted Surveyors to pensionary grants; but this has not in any case been done under rule.

We see no reason however for continuing a nominal restriction upon the admission of this highly deserving class of public servants to share in the benefits which we have so widely extended to the uncovenanted service, and we therefore sanction their being included in the list appended to the Pension Rules of 1831.

With reference to the suggestions contained in your letter, we do not consider it advisable to declare that the allowances of Civil Surveyors and Assistant Surveyors shall in future be regarded as consolidated. It is in our opinion most proper that "Horse and Tent Allowances" should be brought so far within the control of superior authority as to ensure its efficient application to the purposes for which it is granted; and this is effected by keeping that allowance separate from its salary—as regards your other suggestion we approve of the retiring pensions of these Surveyors and Assistant Surveyors being computed upon the gross amount of their actual receipts, including the allowances above stated.

---

*Extract from a Resolution in the Finl. Dept. of the Govt. of India No. 2518 dated 1st July, 1854.*

Pensions to Engi-  
neers.

"With respect to Pensions to Engineers, it seems to have been contemplated in the Rules for the Indian Navy that the Engineers would be unlikely to remain longer in the service than 10 years, and in that case the rates\* of Pensions allowed would be sufficient.

\* After 10 years actual service in India the following Pensions will be granted to such Engineers as shall have conducted themselves to the satisfaction of the Govt. abroad and shall produce to the Court a Certificate to that effect, vizt.

S. D.

A 1st. class Engr. 2 6 a day  
A 2d. class Engr. 2 0 a day  
A 3d. class Engr. 1 0 a day

Pension on a calculation of 3 years service in the former branch for every two years service required in the latter."

But the position of the Engineers serving at this Presidency as represented by the Supdt. of Marine is very different, and His Lordship in Council is accordingly pleased to admit them to Pension under the Rules of the 4th<sup>th</sup> January, 1831, regulating the grant of Pensions to uncovenanted officers, it being however understood that Engineers of *Inland* Steamers entering into the *Sea-going* or classed List, shall be entitled to

END OF THE APPENDIX.

















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